

David Adams  
7558 FM 879  
Palmer, Texas 75152

December 19, 2022

Office of the Chief Clerk, MC105  
TCEQ  
P.O. Box 13087  
Austin, Texas 78711-3087

**REVIEWED**

**DEC 28 2022**

By GCW H

TCEQ OCC

27DEC '22 15:02

In Re: Petition D-08222022-044 Steve Selinger

Attn: Chief Clerk

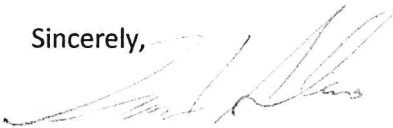
I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

My property is located at 7558 FM 879, Palmer, Texas 75152.

The creation of this Utility District uniquely and adversely affects me in the following ways:

- 1) Runoff into the surrounding farmland creating adverse affects on the environment, farmland and agriculture in this area
- 2) Drainage and erosion problems
- 3) Congestion and air pollution
- 4) Impacts on local school enrollment
- 5) Lack of resources for fire and police protection

Sincerely,



David Adams

7558 FM 879  
Palmer, TX 75152

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DEC 27 2022

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RDC 99

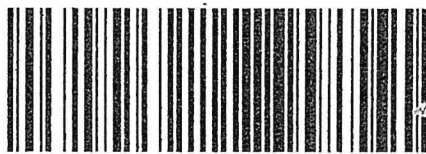
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75119  
DEC 20, 22  
AMOUNT

\$7.85

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OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

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Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

DEC 000  
27DEC '22 15:02



Elizabeth Adams  
7558 FM 879  
Palmer, Texas 75152

December 19, 2022

Office of the Chief Clerk, MC105  
TCEQ  
P.O. Box 13087  
Austin, Texas 78711-3087

In Re: Petition D-08222022-044 Steve Selinger

Attn: Chief Clerk

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 22 PM 2:31

CHIEF CLERKS OFFICE

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

My property is located at 7558 FM 879, Palmer, Texas 75152.

The creation of this Utility District uniquely and adversely affects me in the following ways:

- 1) Runoff into the surrounding farmland creating adverse affects on the environment, farmland and agriculture in this area
- 2) Drainage and erosion problems
- 3) Congestion and air pollution
- 4) Impacts on local school enrollment
- 5) Lack of resources for fire and police protection

Sincerely,

  
Elizabeth Adams

REVIEWED

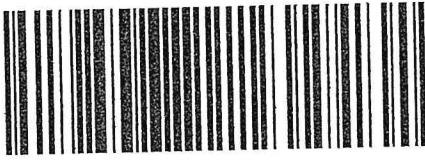
DEC 23 2022

by 

A

7558 FM 879  
Denton, Tx 75152

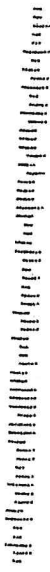
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Office of the Chief Clerk, MC105  
TCEC  
P.O. Box 13087  
Austin, Tx 78711-3087

78711-3087



CHIEF CLERKS OFFICE

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AMOUNT  
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R2304M113118-12

560 Chmelar Rd  
Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

*Handwritten notes:*  
12/21/22  
Gae H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

TCEQ OCC

Attn: Chief Clerk

27DEC '22 15:20

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County:

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 560 Chmelar Rd. Fourmile Creek runs across my entire property.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

1. The identified creek at the site location is actually not a creek, but a watershed slope and overflow from uphill ponds. The potential for 500,000 gallons per day discharge is actually being dumped into the road drainage ditch, which eventually will find its way to the more defined "Fourmile Creek" approximately .5 miles away.
2. The immediate property across the road and down hill from the site is owned by Charlie Pouzar. The property will not shed the water from the development but rather become a muddy boggy pasture which will breed a massive mosquito population in the spring and summer.
3. In the event the sewer treatment system fails, it will dramatically affect the livestock and horses in the area downstream from the development site and cause sewer odor. Livestock that drink contaminated water can easily develop Leptospirosis, Pythiosis, Fusobacterium, Campylobacter, and Anthrax. There is a residence 300ft from the Charlie Pouzar property line and will be affected by the odors, mosquitoes, and potential diseases also.
4. Fourmile creek is a water shed and normally is dry year round. The lay of the land does not support this slow water drainage supply and will environmentally change "Fourmile Creek" into a virus and bacteria breeding ground with stagnant water. It will depend upon a 2" plus rainfall to wash out the stagnant water and then the process will start all over again. An Extensive Regional Impact Study and hydraulic analysis regarding adequate water volume and flow throughout the region should be demanded from the Petitioner.
5. An extensive drainage plan should be demanded for the entire drainage/flooding inclusive of the entire path through Ellis County. My barn and shop could be affected with fast runoff from the streets without water retention ponds. "Fourmile Creek" which is a normally dry creek will respond entirely different to a 3" per hr. rainfall event and will not act as a retention creek.
6. An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of crop contamination downstream.
7. Developing property with such a high density of housing creates excessive amounts of trash, debris and clutter throughout the surrounding properties. The petitioner has not addressed the negative impact of excessive waste on surrounding properties and debris to the landfill.
8. This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock. An extensive wildlife impact study should be provided and demanded from the Petitioner.



Respectively submitted,  
Mary Ann Allred  
469-494-3352  
Gammie911@yahoo.com

Mary Ann Allred  
560 Emmelar Rd.  
Ennis, TX 75119

RECEIVED

DEC 27 2022

TCQ MAIL CENTER  
CI



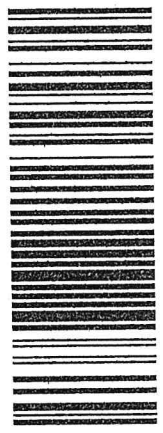
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DEC 21, 22  
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78711-308787



Office of the Chief Clerk, MC155  
TG E Q  
PO Box 13087  
Austin, TX 78711-3087

27DEC 22 15:19

TCQ MAIL

## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, December 22, 2022 10:09 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044  
**Attachments:** Carol Comments Letter 122222.pdf

H

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**From:** alstoncarol@yahoo.com <alstoncarol@yahoo.com>  
**Sent:** Thursday, December 22, 2022 10:06 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Carol Alston

**EMAIL:** [alstoncarol@yahoo.com](mailto:alstoncarol@yahoo.com)

**COMPANY:**

**ADDRESS:** 600 TROJACEK RD  
ENNIS TX 75119-1466

**PHONE:** 2148686437

**FAX:**

**COMMENTS:** see uploaded letter and exhibit

December 22, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk Laurie Gharis

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request.

Prior to the issuance of this Petition, this Petitioner filed an application for a permit to treat and discharge municipal wastewater. I and others submitted comments to TCEQ for this permit application WQ0016103001 for the wastewater treatment facility (WWTF) that is proposed for this Shankle Road MUD for the purposes of treating municipal wastewater generated within the MUD. Notice was not made to the general public in our community per TNRCC Chapter 39-Public Notice, but after requesting records from this Chief Clerk's Office, it was discovered that notices had been published in the "Waxahachie Daily Light", a publication not commonly subscribed to by people in our neighborhood, that is, no one saw it. Our local publication is the "Ennis News".

Also pursuant to TNRCC Chapter 39 – Public Notice, within the WWTF Permit Application, the names and addresses of the affected landowners contained numerous errors, and this was pointed out in my comments. Adequate notice of the intention to install and operate a WWTF was not given to all affected landowners.

The WWTF Permit Application was filed at the Ennis Public Library for a period of only 30 days and then discarded as being "out of date" before the comment period ended. It has been the ONLY document received at the Ennis Public Library and displayed for public viewing. Even though notice was mailed to the affected landowners and commenters that a draft permit was being issued, no permit application, no Executive Director's Preliminary Decision, and no draft permit were made available for public viewing at the Ennis Library as stated in the Notice issued on July 22, 2022.

I have not yet received a response to comments made for WQ0016103001, and the lack of timeliness makes it very difficult to know what comments are valid for Petition D-08222022-044.

Due to these notification issues, TCEQ should consider denying or rescinding the final approval of WQ0016103001.

The only notices made to the public for Petition D-08222-022-044 was published in "Ennis News" on Sundays, December 4 and 11. As of December 20, 2022, no document of any kind for the Shankle Road MUD is at the Ennis Library for public view during this comment period. Adequate notice of the intention to form a Shankle Road MUD and information has not been provided.



Per Section 54, the Applicant has not demonstrated that the creation of the District will not have a negative effect on natural run-off rates and drainage. In fact, run-off and drainage from the District will increase substantially and have a negative impact on downstream landowners. My own calculations using the EPA National Stormwater Calculator shows that runoff will increase from 13% on the current property to 68% on the property if developed as proposed with a housing density of approximately five homes per acre (see Exhibit 1). The Applicant should prepare and make available reports on how the current natural run-off rate will be affected, where the excess run-off will be diverted for discharge, and the expected run-off rates. In addition, the Applicant plans to discharge a WWTF stream of up to average 500,000 gallons per day through the same channel as used for storm drainage. The Applicant has not demonstrated that this combined flow will not produce a negative impact on downstream landowners. In fact, it is expected to cause excessive erosion through the existing natural flow path which is currently only an uneroded, well-vegetated depression, causing loss of acreage and ability to perform ranching operations.

The proposed District is situated on unimproved land which has not been heavily grazed, plowed or otherwise disturbed; it is likely that you would find the big five of the native prairie grasses of the Kachina Prairie on this property (switchgrass, big bluestem, little bluestem, indiangrass and sideoats grama). These grasses all can be found in isolated areas and roadsides within one mile of the District, but are increasingly rare and should be protected or relocated to a prairie preserve.

Respectively submitted,



Carol Alston  
600 Trojacek Rd  
Ennis, TX 75119

**Options**

Years to Analyze:

Event Threshold (inches):

Ignore Consecutive Days:

**Actions**

Refresh Results

Use as Baseline Scenario

Remove Baseline Scenario

Print Results to PDF File

**Reports**

Site Description

Summary Results

Rainfall / Runoff Events

Rainfall / Runoff Frequency

Rainfall Retention Frequency

Runoff By Rainfall Percentile

Extreme Event Rainfall / Runoff

Cost Summary

**Current Scenario**

Annual Rainfall = 38.76 inches

(After property development)

**Baseline Scenario**

Annual Rainfall = 38.76 inches

(Prior to property development)

**Current Scenario**

Average Annual Rainfall (inches): 38.76

Average Annual Runoff (inches): 26.50

Days per Year With Rainfall: 47.07

Days per Year with Runoff: 38.12

Percent of Wet Days Retained: 19.00

Smallest Rainfall w/ Runoff (inches): 0.20

Largest Rainfall w/o Runoff (inches): 0.30

Max. Rainfall Retained (inches): 1.25

**Baseline Scenario**

Average Annual Rainfall (inches): 38.76

Average Annual Runoff (inches): 5.06

Days per Year With Rainfall: 47.07

Days per Year with Runoff: 7.05

Percent of Wet Days Retained: 85.03

Smallest Rainfall w/ Runoff (inches): 0.20

Largest Rainfall w/o Runoff (inches): 2.20

Max. Rainfall Retained (inches): 3.20

Exhibit 1: Runoff after property development of 1106 Shankle Rd. versus baseline (natural unimproved land).

1013 Shankle Rd.  
Ennis, TX 75119  
December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

We request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

PROPERTY DESCRIPTION:

Our property is located at 1013 Shankle Road, directly across Shankle Road from the Selinger property and downstream of the proposed stormwater and treated wastewater stream discharge point, see Exhibit A. Our family has lived on and farmed the property since 1908.

The creation of this Utility District uniquely and adversely affects us in the following ways:

1. According to Section 11.086 of the Texas Water Code, no person may divert or impound the natural flow of surface waters in this state, or permit a diversion or impounding by him to continue, in a manner that damages the property of another by the overflow of the water diverted or impounded.

The Unnamed Tributary (Exhibit B, photo 1) is a normally dry, vegetated depression that travels in a southerly direction until it joins Four-Mile Creek, which is also a normally dry, vegetated swale (Exhibit B, photo 2). Storm water currently collects on the north side of Shankle Road and then flows through a 4' diameter culvert located in front of the Selinger property. It travels over our pastureland, joins with Four-Mile Creek, and crosses under Trojacek Road via a 6' diameter culvert. The land gradient is approximately 0.5% and the soil is heavy clay, making drainage slow and creating a large floodplain (Exhibit B, photo 3, several hours post storm). Land use is for cattle grazing.

Selinger's property is currently raw land well-vegetated with grasses, forbs and trees. A 181-acre housing development with a density of five homes per acre will greatly increase storm runoff. Estimated results using the EPA National Stormwater Calculator show that runoff is 13% from the unimproved land and will increase to 68% runoff after the development is built out as planned. In addition, the proposed MUD's Wastewater Treatment Facility will discharge an average of 500,000 gallons daily when at full capacity into the Unnamed Tributary.

REVIEWED

DEC 23 2022

By 

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
 2022 DEC 22 PM 2:39  
 CHIEF CLERK'S OFFICE

This housing development will alter the historical surface water drainage pattern by increasing runoff and adding a treated wastewater stream, which will damage our property in these ways:

- a) The flood plain downstream of the development district will enlarge and affect property use and value. Before any changes are made that affect existing drainage flow rates, a detailed hydrology study should be conducted to ensure that our structures will not be flooded.
  - b) The grassy swales that are Unnamed Tributary and Four-Mile Creek will become heavily eroded due to the continuous moisture and increased flows. The erosion will undermine existing fencing. The erosion and continuous flow will divide the grazing land in two and cattle will not be able to cross the eroded and flowing tributary, resulting in loss of grazing acreage. In addition, as ranchers, we will not be able to cross the creek either. The flow and erosion will cause hardship in maintaining fence and pastureland, resulting in rancher's expense to construct new fenced areas and elevated crossings to enable rotation of cattle for grazing.
  - c) Twenty-one pecan trees are planted on either side of Four-Mile Creek, the flow path, that take advantage of frequent floods for natural irrigation. Harvesting of the pecans for human consumption will be affected, as treated wastewater cannot be used for irrigation of food crops.
  - d) Our stock tank collects stormwater from the current drainage through the Unnamed Tributary, and it is used for fishing and watering cattle. We are concerned that the discharge from the MUD will damage the integrity of the dam and prevent consumption of fish from the pond.
  - e) The flow path crosses over a 20" natural gas pipeline and erosion will expose this pipeline and its adjacent cathodic protection system (Exhibit B, photo 4), requiring mitigation on our property by pipeline owner Energy Transfer.
  - f) The increased flow and housing will greatly increase the amount of trash and debris that is carried onto our grazing land. Curious cattle are not discriminatory about what they eat and we will expect to experience cattle deaths due to their ingesting garbage that is carried onto our property during the construction phase and afterwards. If this district petition is approved, we will need to immediately replace the electric fencing with a new 6-strand barbed wire fence with gates and trash rack along Shankle Road that will prevent trash from washing and blowing into the pasture (cost estimated to be \$20,000).
2. Our neighborhood is serviced by local Volunteer Fire Departments which will do not have resources to adequately protect a neighborhood of dense housing, in addition to the many square miles of housing and acreage currently protected. The preliminary plat ignores fire protection and does not include a fire station. Existing resources will not be available if more than one structure or location requires emergency assistance at any time.

The Petitioner's preliminary plat shows two entrances spaced 220-feet apart, both accessed from the single-lane Shankle Road. Both entrance roads cross the gas pipeline, so in event of a pipeline emergency, there can be no evacuation from the neighborhood nor will there be access for emergency vehicle entry. The Petitioner should submit an emergency response plan for review and approval.

The Petitioner is a residential property developer and has not demonstrated that he is experienced in the operation and maintenance of wastewater systems/treatment facilities. Ellis County has regulations in place for rural areas not served by centralized wastewater facilities that limit the smallest lot size to 1 acre, with each home having an individual septic system, which is in keeping with the rural atmosphere, but would still allow for the construction of about 150 homes with no off-site discharge of treated wastewater.

Shankle is a single-lane, chip-and-seal road that sees little traffic. At last count there are only 24 homes on all of Shankle Road, so adding another 811 will drastically change our quiet country life into a city life, adding noise, traffic, crowds, litter, and all the other negatives that we avoid by living here. If we wanted a city life, we'd live in the city. We suggest that this property and any other located within the County's jurisdiction be developed using the reasonable local standards which protect our quality of life and respect the existing neighbors' property rights.

Respectfully submitted,



Charlie J. Pouzar  
(972) 875-2996  
1013 Shankle Road  
Ennis, TX 75119



Adell Pouzar



Carol Pouzar Alston



Robert Alston

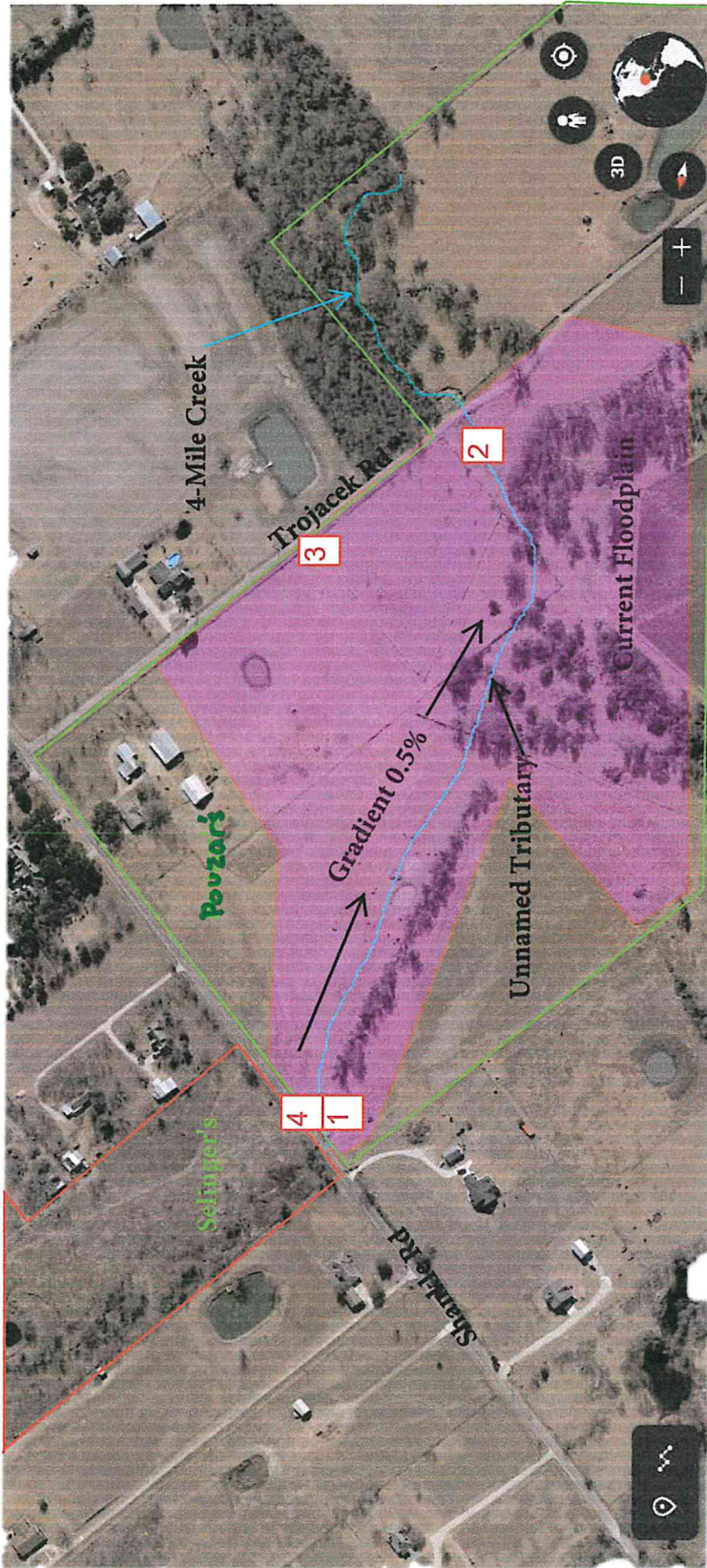


Exhibit A "Pouzar property in relation to Selinger property and photo locations"

**Exhibit B: Referenced Photos (see Exhibit A for locations):**

**Photo 1: View of Unnamed Tributary (grassy swale), looking north towards Shankle Road (Selinger property seen across the road)**



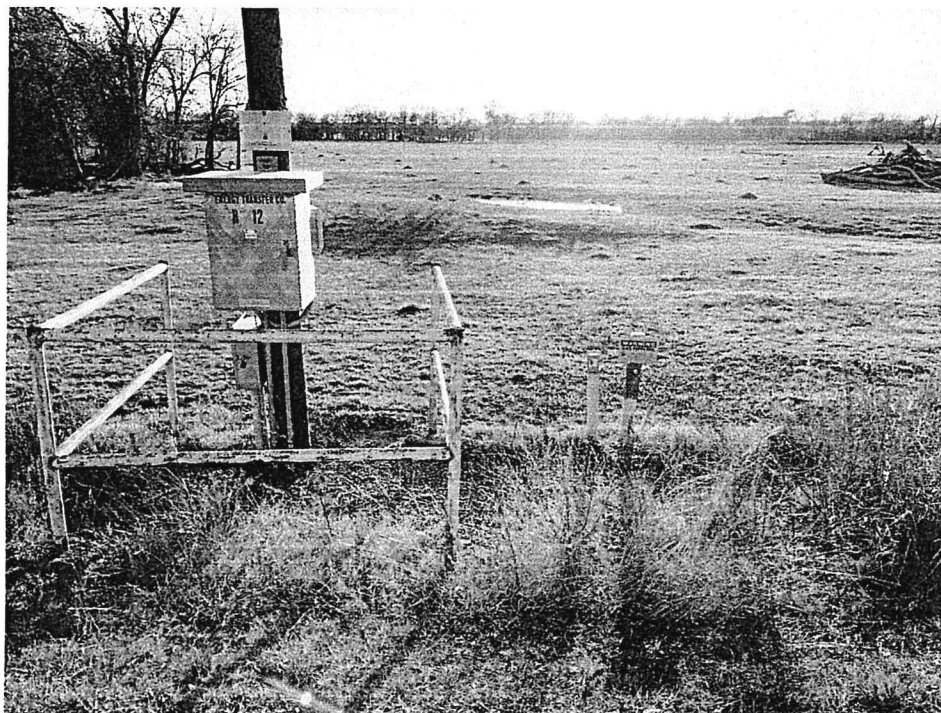
**Photo 2: View of Four-Mile Creek (grassy swale), looking southeast toward Trojacek Road culvert**



Photo 3: Typical flooding of Pouzar property



Photo 4: Natural gas pipeline and cathodic protection system at Shankle Road





Robert Nelson  
600 Trojacek Rd.  
Eminis, TX 75119

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 22 PM 2:25

CHIEF CLERKS OFFICE



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R2304P118983-88

OFFICE OF THE CHIEF CLERK, MC 105  
TCER  
P.O. BOX 13087  
AUSTIN, TX 78711-3087

78711-3087



**Ellie Guerra**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, May 3, 2023 8:42 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ  
**Subject:** FW: WQ-08222022044 Permit Application  
**Attachments:** 05.02.2023 Letter to Chief Clerk.pdf

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**From:** Laurie Gharis <Laurie.Gharis@tceq.texas.gov>  
**Sent:** Tuesday, May 2, 2023 10:50 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** FW: WQ-08222022044 Permit Application

Laurie Gharis  
Office of the Chief Clerk  
Texas Commission on Environmental Quality  
Office Phone: 512-239-1835  
Cell Phone: 512-739-4582

How is our customer service? Fill out our online customer satisfaction survey at:  
[www.tceq.texas.gov/customersurvey](http://www.tceq.texas.gov/customersurvey)

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**From:** Carol Alston <[alstoncarol@yahoo.com](mailto:alstoncarol@yahoo.com)>  
**Sent:** Tuesday, May 2, 2023 10:44 AM  
**To:** Laurie Gharis <[Laurie.Gharis@tceq.texas.gov](mailto:Laurie.Gharis@tceq.texas.gov)>  
**Subject:** WQ-08222022044 Permit Application

Ms. Gharis,

Please see my attached letter regarding revision of the subject permit application documents.

Thank you,

Carol Alston, member  
Citizens Against Ellis County MUDs, Inc.

600 Trojacek Rd.  
Ennis, TX 75119  
May 2, 2023

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: WQ-08222022044, Shankle Road WWTP permit application by Stephen R. Selinger

Attn: Chief Clerk Laurie Gharis

Thank you for hosting the informative public meeting for the Shankle Road WWTP permit application held on Thursday, April 27<sup>th</sup>.

During the question portion of the meeting, I had asked a question concerning the location of the Applicant's proposed Outfall, which was ambiguous in the application documents. I also noted that the location of the receiving tributary was incorrect in the application documents.

After the public meeting's conclusion, I spoke briefly with Brittany Lee, aquatic scientist from the Water Quality Division. Brittany showed me the copy of the application that she had brought with her. Brittany's copy held a revised copy of the Affected Landowner's Map that I had never seen before. The map had been corrected to show the correct locations of the Outfall and the receiving Unnamed Tributary and corrected affected landowner list.

Yesterday I visited the Ennis Public Library to see if any updated information had arrived there. The applicant's environmental engineer had reissued original Revision 0 of the application and preliminary permit that had already been issued in 2022. I have attached the transmittal letter received at the library on March 1, 2023, as well as the unrevised Affected Landowner Map page within the document.

Why were we not given access to a revised copy of the WWTP application prior to the Public Meeting? My questions and comments would have been different had up-to-date information been available prior to the Public Meeting.

Is it possible that your office can scan a copy of the revised application package and draft permit (if also revised) and email it to me? Even though the comment period has ended, I and others would like to have the latest information available.

Respectively submitted,

Carol Alston, member  
Citizens Against Ellis County MUDs, Inc.

(214) 868-6437  
alstoncarol@yahoo.com



**consulting environmental engineers, inc.**

150 n. harbin drive - suite 408 • stephenville, tx 76401  
phone: (254) 968-8130 fax: (254) 968-8134  
email: ceelnc@ceelnc.org registered firm: #F-2323

**LETTER OF TRANSMITTAL**

TO: Ennis Public Library  
501 West Ennis Avenue  
Ennis, TX 75119

DATE: 2/28/2023  
ATTENTION:  
RE: Stephen Selinger- Shankle Road WWTP  
Water Quality Draft Permit

WE ARE SENDING YOU  THE ATTACHED  THE ENCLOSED  UNDER SEPARATE COVER

Copies	Description
1	Copy of TCEQ Water Quality Draft Permit
1	Copy of TCEQ TPDES Application Package

THESE ARE TRANSMITTED AS CHECKED BELOW:

- For your use
- No exceptions taken
- Resubmit \_\_\_ copies for review
- As requested
- Make corrections noted
- Resubmit \_\_\_ copies for distribution
- For review and comment
- Returned for corrections
- Other \_\_\_\_\_

THIS IS A REQUEST FOR INFORMATION

REMARKS:

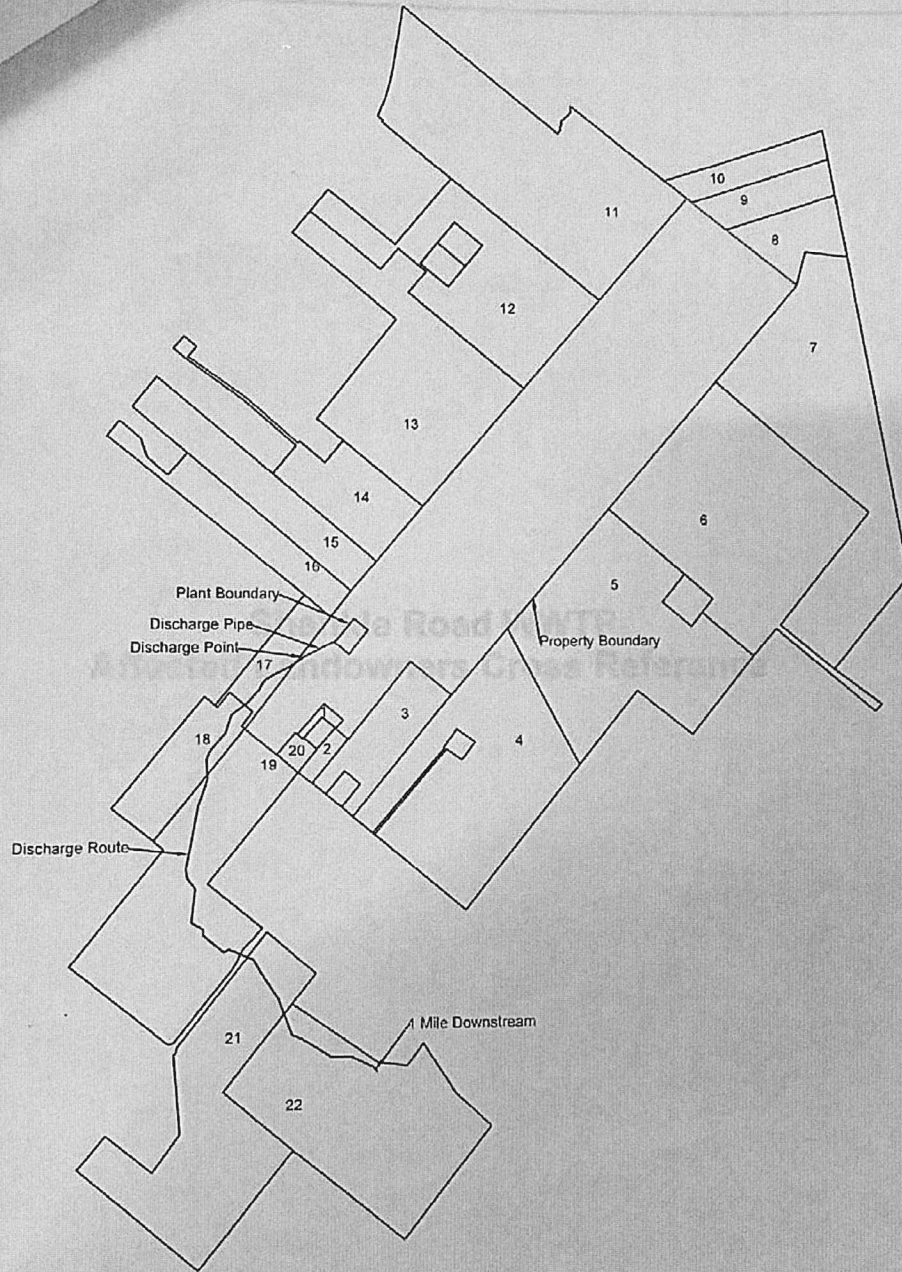
Please keep the attached copy of the TCEQ water quality draft permit and application package available for public viewing and copying at the Ennis Public Library's front desk until the permit is issued. We will inform you when the permit is issued and the application is to be removed.

Please contact me if you have any questions. Thank you for your assistance.

COPY TO: \_\_\_\_\_

SIGNED: Charles P. Selby III

Received  
3-1-23



Date  
 January 18, 2022  
 Drawn By  
 CE  
 Scale  
 1" = 1400'

consulting environmental engineers, inc.  
 220 W. Barkdale Drive • Suite 200 • Sherman, TX 75091  
 (214) 766-9130 Fax: (214) 766-9161 Email: ce@ceeinc.com  
 Registered Professional Engineers

Shankle Road WWTP  
 Stephen Selinger  
 Palmer, Texas  
 Affected Landowners Map

Sheet 002

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 23 2022  
By GSU H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-0822022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

My wife and I are affected persons entitled to a contested case hearing on the issues related to this hearing request. My property is a single family home on about 4 acres located at 1520 Union Hill Road, Ennis, TX 75119.

The creation of the Utility District adversely affects us in the following ways:

1. Wildlife impact on the wild mammals and birds which habitat this area west of the Trinity River.
2. Damage due to rainwater runoff down to Novy Road and to Telico and them Trinity River.
3. Odors from the requested sewer treatment plant submitted by the petitioner.
4. Water runoff that effect downstream areas to the East and South of the development.

Respectively submitted,

*Richard D. Anderson* 12/20/22

Richard D. "Andy" Anderson, Andy1520@ECTISP.net

*Tresa Anderson*

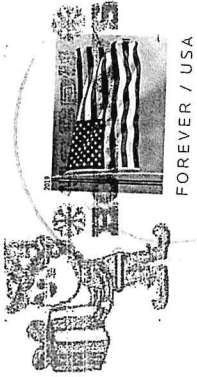
Tresa Anderson, e-mail Tresa501@gmail.com

Phone: 512-705-7870

DEC 22 10:30  
TCEQ OCC

Mr. Richard D. Anderson  
1520 Union Hill Rd.  
Ennis, TX 75119

7022 0410 0000 9492 3890  
DRTH TEXAS TX P&DC  
DALLAS TX 750  
21 DEC 2022 PM 3 L



OFFICE OF THE CHIEF CLERK, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

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DEC 27 2022  
TCEQ MAIL CENTER  
AJ

DEC 27 2022 10:53  
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U.S. POSTAGE PAID  
PCN LETTER  
PALMER, TX  
75152  
DEC 21, 22  
AMOUNT  
\$4.00  
R2305K142764-10

78711-3087

## Vander Gold

---

**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, December 22, 2022 10:04 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

H

---

**From:** aaronlee.armstrong1@gmail.com <aaronlee.armstrong1@gmail.com>  
**Sent:** Wednesday, December 21, 2022 9:36 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Aaron Armstrong

**EMAIL:** [aaronlee.armstrong1@gmail.com](mailto:aaronlee.armstrong1@gmail.com)

**COMPANY:**

**ADDRESS:** 8341 FM 660  
ENNIS TX 75119-0153

**PHONE:** 9729218446

**FAX:**

**COMMENTS:** I request a contested case hearing. This MUD will have severe impact on the local ecology, wildlife, roads, and schools. The downstream effects of this development need to be studied, and a storm water mitigation plan needs to be developed. This development has the potential to contaminate vital farmland and local wildlife habitat. The farmland is pivotal to the local economy. This development resides in the Blackland Prairie eco-region; one of America's most endangered native habitats. It's disconnected location is not conducive to the level of density desired - 800 homes



on 180 acres does not make sense in a rural community. This level of density should be reserved for urban environments that are less car dependent and have reliable transportation infrastructure - the influx of cars and kids will be more than the existing infrastructure can support in an area that is maintained by the county, not the city. Keep rural Texas rural.

228 Trojacek Rd  
Ennis, TX 75119

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

600 H

TCEQ OCC

27DEC '22 15:24

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **228 Trojacek Rd, Ennis, TX 75119**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- **Water runoff** - I'm concerned that the drainage will not be adequate and will cause flooding for all adjacent landowners along the unidentified creeks which flow downstream to 4-mile creek, to Village Creek, and on to the Trinity River. This will lead to erosion of the soil and extensive change to the environment affecting wildlife. Will an environmental impact study be completed to study the effects of excessive water generated by this development on crops and wildlife? If so, when? What about an extensive drainage plan?
- **Smells/Odors from the sewer treatment plant** – With the number of gallons being created daily by this sewer treatment plant, how does the petitioner plan to handle the smells and odors created by the sewer treatment plant.
- **Trash/Debris/Clutter** – The petitioner proposes high density housing in this development. This will create excessive amounts of trash, debris, and clutter that the surrounding properties will have to deal with. Has the Petitioner addressed the negative impact of this excessive waste to surrounding properties?

Respectively submitted,



Lorene Bakluda

214-802-5053

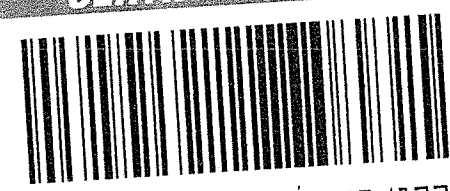
L. Beck with  
228 Trojacek Rd  
Ennis, Tx 75119



U.S. POSTAGE PAID  
FCM LETTER  
ENNIS, TX  
75119  
DEC 20, 22  
AMOUNT  
**\$7.85**  
R2304M119118-12



RDC 99 78711



7022 1670 0001 5390 8773

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE  
**CERTIFIED MAIL**

Office of the Chief Clerk MC105  
TCEQ  
P.O. Box 13087  
Austin, Tx 78711-3087  
TCEQ MAIL CENTER  
DEC 27 2022

27DEC '22 15:23

RECEIVED

Lucy E. Barnett  
328 Sunridge Rd.  
Ennis, TX 75119

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

RE: Petition D-08222022-044

ATTN: Chief Clerk

REVIEWED

DEC 23 2022

BY 

H

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2022 DEC 22 PM 2:41  
CHIEF CLERKS OFFICE

I request a contested case hearing for Petition D-08333033-044, petitioned by Steve Selinger for the creation of Shankle Road Municipal Utility District of Ellis County.

My property is located at 328 Sunridge Road.

The creation of this Utility District uniquely and adversely affects me in the following ways:

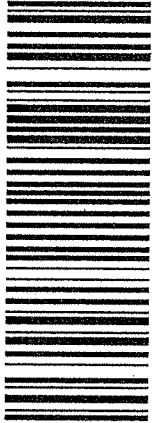
1. Being that the proposed site of this Utility District is directly NE from my homestead, with no wind block, the probability of putrid smells and odors from the sewer treatment plant, with the amount of wind out here, is unacceptable. The submitted plans by the petitioner, Steve Selinger, are inadequate for the proposed development particularly considering the possibility/probability of additional developments that could be added to the District at a later date. The amount of land is insufficient for a project of this magnitude, and an Extensive Environmental Impact Study regarding the effects of the excessive sewer water that will be generated by this development as well as the effects of contamination to the crops downstream is demanded.
2. The majority of the land in this proposed Utility District is currently and has historically been a habitat for wildlife. In this area, ducks, geese, waterfowl are regularly seen. The vast ponds, trees and brush cover are used by the wildlife and the natural vegetation is a roosting area for migratory and local bird populations. This habitat provides protection for wildlife from heat, drought and heavy rain. This habitat will not be relocated, but destroyed by the developer, which will also forcibly relocate the large number of coyotes, bobcat, hogs and other predators to surrounding properties, unduly burdening the landowners, such as myself, with having to provide additional protection for chickens, ducks, geese, pets and livestock. An extensive wildlife impact study should be provided and demanded from the Petitioner.
3. This housing development will be located in the Palmer Independent School District, which is a small, rural school system. The Utility District will not only overburden this district with the influx of such a large number of school age children, but will also unduly burden the surrounding districts with the overflow. These school districts are already at maximum capacity, with the current growth in this part of Texas, and this Utility District would cause there to be a mandatory expansion of the existing buildings and adding additional schools, which, in turn, will burden every property owner and homeowner with increased school taxes.



VERIFIED MAIL

L. BARNETT  
328 Sunridge Rd  
Ennis, TX 75119

COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
7007 DEC 22 PM 2:25  
OVERSEAS OFFICE



7022 2410 0002 0050 5365



RDC 99



78711

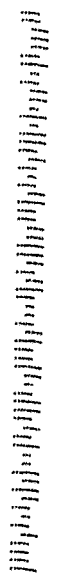
U.S. POSTAGE PAID  
FORM LETTER  
CORNET, TX  
75126  
DEC 20, 22  
AMOUNT

\$7.85

R2304H107984-1

Office of the Chief Clerk, MC 105  
TCER  
PO Box 13087  
Austin, TX 78711-3087

78711-308787



Dec. 30, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, Texas 78711-3087

REVIEWED  
JAN 03 2023  
By GCW H

TCEQ 000

5 JAN '23 10:33

Re: Petition D-08222022-044, petitioned by Steve Selinger

I would like to request a special hearing for the above petition for the creation of Shankle Road Municipal Utility District in Ellis County. I am a nearby land owner who could be affected by the waste water discharge or water delivery or tapping of an aquifer for wells in this area for this development.

Please provide me in advance copies of any preliminary petition, preliminary plans, well applications, or any water delivery plans or agreements with any local water authority ahead of the hearing. Please notify me in advance of the date, time, and location of the hearing.

Thank you,



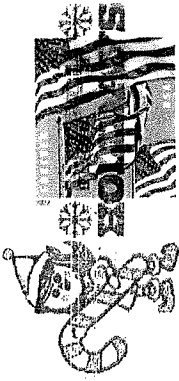
Vonne Battistini

714 Carmel Ave

Pacific Grove, CA 93950

vonnebattistini@gmail.com

BATTISTINI  
214 CARMEL AVE.  
PACIFIC GROVE, CALIFORNIA 93950



NORTH TEXAS TX P&DC  
DALLAS TX 750  
3 JAN 2023 PM 8 L

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2023 JAN -5 AM 9:55

CHIEF CLERKS OFFICE

RECEIVED

JAN 05 2023

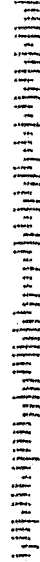
TCEQ MAIL CENTER  
AJ

TCEQ

OFF-OF THE CHIEF CLERK, MC 105

P.O. Box 13087

AUSTIN, TEXAS 78711-3087



78711-308797

P. O. Box 1333  
Ennis, TX 75120

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:44  
CHIEF CLERKS OFFICE

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

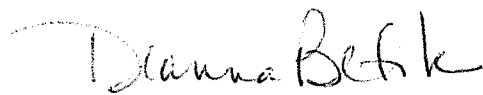
I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **152 Trojacek Rd, Ennis, TX 75119**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- **Flooding/Drainage** - I'm concerned that the drainage will not be adequate and will cause problems for all landowners downstream from Shankle Road to Novy Road to 4-mile creek to Village Creek to Telico and on to the Trinity River. An extension drainage plan should be prepared for the entire path through Ellis County to determine its impacts.
- **Wildlife and Ecological impact** – The proposed development will consistently discharge water in an area that is not accustomed to handling that volume. It will create wetlands which destroy native prairie grasses and wildflowers of which so much of our honeybee and wildlife populations depend upon. The trees and natural vegetation are also a roosting area for migratory and local bird populations. This development will forcibly relocate predatory animals such as coyotes to surrounding properties and will further burden adjacent landowners. An extensive wildlife impact study should be provided by the petitioner.

Respectively submitted,



Deanna Betik  
972-875-5604

REVIEWED

DEC 23 2022

By 

H





Thomas Beik  
PO Box 1333  
Ennis, TX 75120

7022 1670 0001 5390 8766



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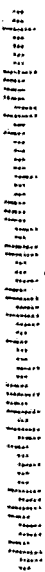
Office of the Chief Clerk, MC 105

TCEA

P.O. Box 13087

Austin, TX 78711-3087

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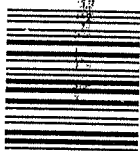
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AMOUNT

**\$7.85**

R2304M113118-12

Mary S. Betik  
317 Eason Road  
Ennis, TX 75119

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **317 Eason Road**

The creation of this Utility District would directly affect me and my family in the following way(s):

- My property is within probably one mile of the proposed site and I am concerned about numerous conditions not to mention possible smell.
- We already have reduced water pressure I'm confident that will be affected.
- Possible flooding for increased water run-off
- Potential run-off of possibly untreated water.
- Excessive heavy traffic.
- Commercial vehicles on weight-limited road.
- Environmental impact on grasslands and livestock.
- Tax impact of that many houses being built in my area
- Impact on schools which are already at capacity
- Impact of emergency services which is already at capacity
- Volunteer Fire cannot possibly handle such a large development
- Endangered wildlife in the area.
- Excess traffic on my road with small children.
- Road maintenance by County will be stretched.
- Possible increase in crime because of proposed housing development.


REVIEWED

DEC 23 2022

BY 

This is just the beginning of a list of possible things that could affect me directly.

Respectfully submitted,

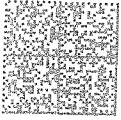
  
Mary Suzette Betik

Phone: 469-286-8305

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:35  
CHIEF CLERK'S OFFICE

US POSTAGE

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CHIEF CLERKS OFFICE

PERMISSIONED MAIL



7011 3500 0002 9575 6683

.....  
c Betik  
Eason Rd  
is TX 75119

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

12/31/2022  
10:21 AM  
123 456 789

P. O. Box 1333  
Ennis, TX 75120

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

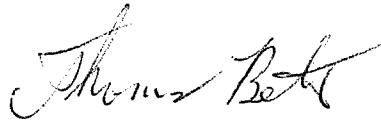
I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **152 Trojacek Rd, Ennis, TX 75119.**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- **Water runoff** - I'm concerned that the drainage will not be adequate and will create wetlands. The wetlands will kill native grasses and trees and upset the ecological balance in the area. This will lead to flooding or erosion of the soil. Has an environmental impact study been completed or planned? If not, why not?
- **Smells/Odors from the sewer treatment plant** – With the planned number of gallons being created daily, how does the petitioner plan to control the hydrogen sulfide gas emitted from the treatment plant? This is of great concern to me.
- **Wastewater Sludge** – The wastewater sludge that will be created will have to be hauled out by commercial vehicles. Our current roads are not designed for that weight capacity.

Respectively submitted,



Thomas Betik

972-875-5604

REVIEWED

DEC 23 2022

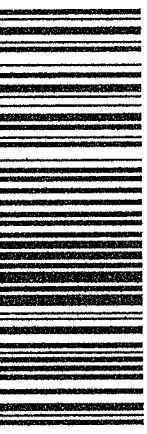
TV 

H

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:45  
CHIEF CLERKS OFFICE

Thomas Beik  
PO Box 1333  
Ennis, TX 75120

PLACE STICKER AT TOP OR BOTTOM OF THE RIGHT  
OR LEFT SIDE OF ADDRESS ONLY AT DOTTED LINE  
**CERTIFIED MAIL**



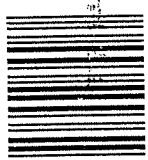
7022 1670 0001 5390 8759

COMMISSION ON ENVIRONMENTAL QUALITY  
NC

2007 DEC 22 PM 2:24



RDC 99



78711

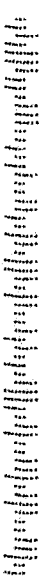
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ENNIS, TX  
75119  
DEC 20, 22  
AMOUNT

**\$7.85**

R2304M113118-12

CHIEF CLERKS OFFICE  
Office of the Chief Clerk, MC 105  
TCER  
P.O. Box 13087  
Austin, TX 78711-3087

78711-3087



Dorothy Bjork  
314B Skrivanek Rd.  
Ennis, Texas 75119

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. BOX 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 20 2022  
By GM H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

**Attn: Chief Clerk**

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **314B Skrivanek Rd Ennis, TX 75119**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

We are within 2 miles from the property to be developed. The roads aren't equipped for the extra traffic. Water & Sewer concerns. The community is not capable to handle 800 homes. Volunteer Fire department & Sheriff department do not have the staff to handle the extra 800 homes. Schools are already to the max limit. We are members of the Crisp Cemetery which is 1 mile from the property & will effect the drainage & could destroy the cemetery due to flooding.

Respectively,

*Dorothy Bjork*

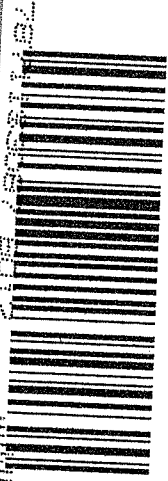
**Dorothy Bjork**

972 875-5306

27DEC 22 10:31

TCEQ OCC

CERTIFIED MAIL



7022 1670 0001 5390 7417

OFFICE of the Chief Clerk, mc 105

TCEQ

P.O. BOX 13087

AUSTIN, TX 78711-3087

ICED OFF

DEC 20 22 10:31

Ms. Dorothy Bjork  
314B SkrivaneK Rd Apt B  
Ennis, TX 75119

RECEIVED

DEC 27 2022

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78711

U.S. POSTAGE PAID  
FROM LETTER  
ENNIS, TX  
75119  
DEC 20, 22  
AMOUNT

\$4.60

R2304MT13349-03



RDC 99

Gregory Bjork  
314A Skrivanek Rd.  
Ennis, Texas 75119

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. BOX 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

**Attn: Chief Clerk**

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 23 AM 9:52  
CHIEF CLERKS OFFICE

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **314A Skrivanek Rd Ennis, TX 75119**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

We are within 2 miles from the property to be developed. The roads aren't equipped for the extra traffic. Water & Sewer concerns. The community is not capable to handle 800 homes. Volunteer Fire department & Sheriff department do not have the staff to handle the extra 800 homes. Schools are already to the max limit. We are members of the Crisp Cemetery which is 1 mile from the property & will effect the drainage & could destroy the cemetery due to flooding.

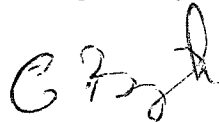
REVIEWED

DEC 23 2022

BY 

H

Respectively,



472-875-5306

Gregory Bjork



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 23 AM 9:51

CHIEF CLERKS OFFICE

Ms. Dorothy Bjork  
314B Skrivanek Rd Apt B  
Ennis, TX 75119

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. BOX 13087  
AUSTIN, TX 78711-3087

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75119  
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AMOUNT

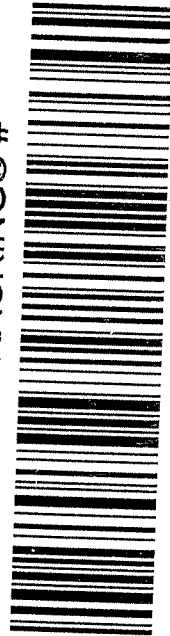
**\$9.90**

R2304M113118-12

FUI  
Not

EXPECTED DELIVERY DAY: 12/23/22

USPS TRACKING® #



EP14H July 2022 Outer Dimension: 10 x 5

2914 Crisp Rd  
Ennis, TX 75119

RECEIVED  
DEC 23 2022  
Gau H

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TCEQ OCC  
28DEC '22 10:06

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 2914 Crisp Rd, Ennis, TX 75119. I am approx. 2.5 miles from the proposed build site.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

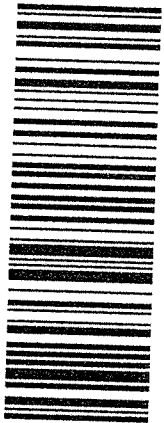
This proposed development would have a major impact on our daily lives. First of all, most of us have lived in the area for decades so we respect and appreciate our neighbors and their belongings. The crime rate in our area is almost nonexistent and we feel that would change if the Shankle Rd Municipal Utility District of Ellis County is approved. Second, our county roads are already in disrepair due to the current number of vehicles that travel them daily. I can only imagine how bad they would get if 800+ additional vehicles were added. Third, our emergency services (fire, police and medical) will not be able to sustain the amount of people that will potentially be added to the district. Emergency preparedness should not be taken lightly and we feel this is being overlooked. Lastly, the impact it will have on our schools is detrimental because our school systems are already over loaded.

Respectively submitted,

Zack Black  
469-337-3519

ZACK BLACK  
2914 CRISP Rd.  
EMMIS, TX 75119

7022 0410 0000 9492 3746



RECEIVED

DEC 28 2022

TCEQ MAIL CENTER  
AM

50:01 22 2908Z  
000 0901

Office of the Chief Clerk, MC 105

TCEQ

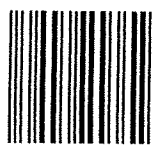
P.O. Box 13087

Austin, TX 78711-3087

757113087 8012



RDC 99



78711

U.S. POSTAGE PAID  
FCM LETTER  
PALMER, TX  
75152  
DEC 20, 22  
AMOUNT

\$4.60

R2305K142764-10

## Vander Gold

---

**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, December 22, 2022 10:03 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

**From:** Zblack1989@gmail.com <Zblack1989@gmail.com>  
**Sent:** Wednesday, December 21, 2022 5:04 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Zack Black

**EMAIL:** [Zblack1989@gmail.com](mailto:Zblack1989@gmail.com)

**COMPANY:**

**ADDRESS:** 2914 CRISP RD  
ENNIS TX 75119-7446

**PHONE:** 4693373519

**FAX:**

**COMMENTS:** I request denial of the creation of Shankle Road MUD. The denial of this Shankle rd MUD will allow all of us in the surrounding area to go back to living life the way we know it now. None of us want to worry about the burden it will have on the already overloaded schools GC in the district. We wouldn't have to stress about the added traffic to the roads that are in disrepair. We don't want to deal with the added trash the MUD will bring from 800 additional homes. It would also be a major impact on our police and fire services because they are understaffed as it is. Safety preparedness

should be taken into deep consideration as it is often over looked. Another concern is flooding due to the water runoff. There is absolutely nothing beneficial to us current homeowners. This is just another way for Steve Selinger to make tons of money and walk away with zero regret. It would be very irresponsible for this to get approved due to the lack of infrastructure to support this many homes/people.

## Vander Gold

---

**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, December 22, 2022 10:01 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

**From:** Zblack1989@gmail.com <Zblack1989@gmail.com>  
**Sent:** Wednesday, December 21, 2022 2:23 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Zack Black

**EMAIL:** [Zblack1989@gmail.com](mailto:Zblack1989@gmail.com)

**COMPANY:**

**ADDRESS:** 2914 CRISP RD  
ENNIS TX 75119-7446

**PHONE:** 4693373519

**FAX:**

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## Vander Gold

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 21, 2022 1:22 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

**From:** Zblack1989@gmail.com <Zblack1989@gmail.com>  
**Sent:** Wednesday, December 21, 2022 1:05 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Zack Black

**EMAIL:** [Zblack1989@gmail.com](mailto:Zblack1989@gmail.com)

**COMPANY:**

**ADDRESS:** 2914 CRISP RD  
ENNIS TX 75119-7446

**PHONE:** 4693373519

**FAX:**

**COMMENTS:** I request denial of the creation of Shankle Road MUD. The denial of this Shankle rd MUD will allow all of us in the surrounding area to go back to living life the way we know it now. None of us want to worry about the burden it will have on the already overloaded schools GC in the district. We wouldn't have to stress about the added traffic to the roads that are in disrepair. We don't want to deal with the added trash the MUD will bring from 800 additional homes. It would also be a major impact on our police and fire services because they are understaffed as it is. Safety preparedness

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305 S. Old Walnut  
Ennis, TX 75119

TUEO 0000  
27DEC '22 10:52

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 28 2022  
By GM H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **305 S. Old Walnut Ennis, Texas in the community of Bristol.**

The creation of this Utility District uniquely and adversely affects me in the following way(s): I work in Waxahachie, Texas and drive 660 to 879 daily. The roads are not equipped or set up for the traffic that will be added with that many homes. The additional traffic will adversely affect my drive to and from my job and cause me undo stress from the heavier traffic load. My insurance rates will more than likely increase, and the heavier traffic will cause a danger just going down the road.

Therefore, I am respectfully requesting a contested hearing to have my voice and concerns heard.

Respectively submitted,

Donna Blagg

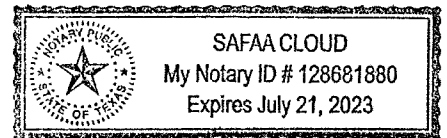
*Donna Blagg*

12/21/2022

Donna Blagg

432-661-1823

The State of Texas  
County of Ellis



This instrument was acknowledged before me, on December 21, 2022.  
Personally appeared Donna Blagg.  
Notary Public Safaa A Cloud



RDC 99



78711

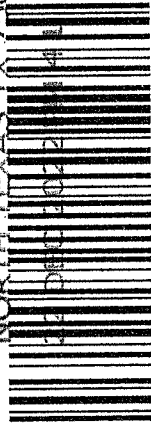
U.S. POSTAGE PAID  
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WAXAHACHIE, TX  
75165  
DEC 22, 22  
AMOUNT

**\$7.85**

R2304P118983-88

**CERTIFIED MAIL**

NORTH TEXAS TX 750



7020 1810 0002 0358 5358

OFFICE OF CHIEF CLERK, MC 105

TCEQ

P.O. BOX 13087

AUSTIN, TEXAS 78711-3087

RE: PETITION D-08222022-044

DONNA BLAGG

305 S OLD WALNUT

ENNIS, TEXAS 75119

**RECEIVED**

**DEC 27 2022**

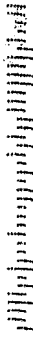
22:01 22 0302Z

000 0301

TCEQ MAIL CENTER

AJ

**RETURN RECEIPT  
REQUESTED**



78711-308787

DEC 23 2022

Gae H

To whom it may Concern:

TCEQ OCC  
28DEC '22 10:03

As a property owner on Eason Road in Ennis, Tx we are opposed to the development that is planned or proposed on Shankle Rd in Ennis, Tx.

As residents of 219 Eason Road I Clint Bouska and Tish Bouska are writing this letter to formally express our desire for a contested court hearing.

Clint Bouska

Tish Bouska

219 Eason Rd.

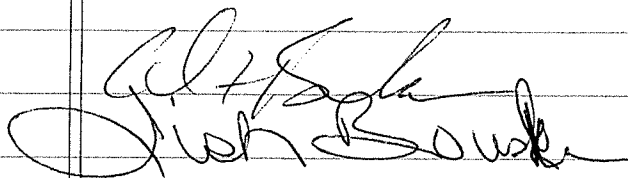
Ennis, Tx. 75119

Phone: 972-875-5248

Petition D-08222022-044, petitioned by Steve Selinger

"I/we request a contested court hearing"

We are located less than 2 miles from the location



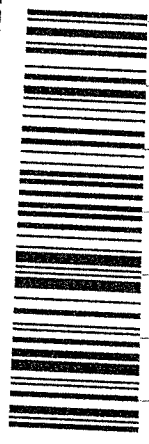
*Bouska*

*219 Eason Rd*

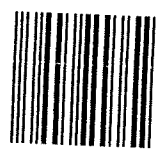
*Emis TX 75114*

10:01 22 2022  
000 0001

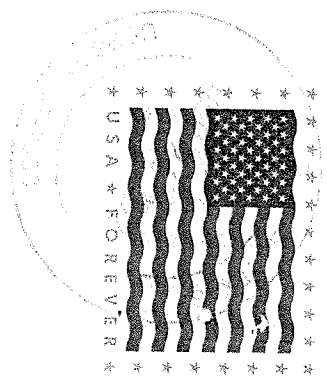
7022 0410 0000 9492 3814



RDC 99



78711



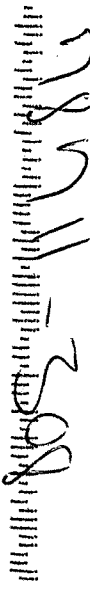
RECEIVED

DEC 28 2022

TOEQ MAIL CENTER,  
AM

*Office of the Chief Clerk, MC 105  
PO Box 13089  
Austin TX 78711*

*787113089 8012*



REVIEWED

DEC 23 2022

J. Gow

H

Paul and Lecia Brewer  
1008 Shankle Rd  
Ennis, TX 75119  
December 22, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087  
In Re: Petition D-08222022-044, petitioned by Steve Selinger  
Attn: Chief Clerk

TCEQ OCC  
28DEC '22 10:17

Paul and Lecia Brewer  
1008 Shankle Rd  
Ennis, TX 75119  
December 22, 2022

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

My property is located at 1008 Shankle Rd Ennis, TX 75119

The creation of this Utility District uniquely and adversely affects me in the following ways:

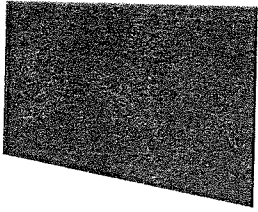
Our land has been in our family for 60 years. This land is not only our home but home to thousands of wildlife creatures. We have many wild ducks that fly in that we feed and care for every year. With this development that will all be destroyed. Our home is a peaceful retreat for our visitors. We offer a relaxing environment to the people who choose to stay in our cabin (Greenlee Acres) This is our small business that we offer to the public. With this development that will also all be destroyed. This land also will only have one way in and one way out. How is this even safe? Our tiny country road and hardly handle what we have living down this road now. I can't imagine what it will be like for this only road to see 1600 more vehicles per day. This development is not a need for our rural area, Estimates are that there are thousands of homes for sale in the area. Who benefits from this senseless destruction of land and trees to build new homes that are not needed?

Sincerely,  
Paul and Lecia Brewer

Bill Greenlee

From:

*Paul A Levin Brewer*  
1008 Shankle Rd  
Ennis, Tx 75115

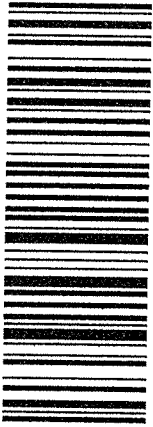


71:01 22 3088Z  
28DEC 22 10:17  
105

Document Mailer  
**Ready Post**

7022 2410 0001 8382 0295

PLACE STICKER IN TOP OF ENVELOPE TO THE RIGHT  
OF THE U.S. ADDRESS TO BE AT BOTTOM LINE  
**CERTIFIED MAIL**



7022 2410 0001 8382 0295



RDC 99



78711

TO:

*TCEA*  
*P.O. Box 13087*  
*Austin, Tx 78711-3087*



500 Chmelar Rd  
Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
JAN 11 2023  
By Gae H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 500 Chmelar Rd. Ennis TX 75119.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

Water runoff which should concern all surrounding property owners as an inadequate drainage plan was submitted by the petitioner. Flooding issues from the drainage, I live at the lowest point around the area, and this is a great concern. The sewer treatment plant is going to scare away all the wildlife around from the atrocious smells. Coyotes, deer, rabbits, boars, insects, bees, and many more will all be affected by the smells, there are several people around the area, myself included, that keep bees and sale the honey. By allowing this you are essentially tripling the population in a 5-mile radius, there will be all sorts of unfavorable changes to the surrounding environment, not only will the smells affect the area but the noise will as well. The presence of additional cars, people, waste, noise, smell, will all have a significantly negative impact on the local area. Currently there is no wildlife impact study that has been done and I demand that one be done.

The wildlife is a significant part of our local area, but this will also affect the people living here. Traffic, new schools, new emergency services. This will raise property value which in turn raises taxes which will force people to move. We are a nice community with many elderlies who will not be able to afford to live here with increased taxes. I won't be able to continue to afford to live here with increased taxes. By allowing this construction you are destroying our community and uprooting its citizens for a subdivision that no who lives around here wants to be built.

Please consider our request to appeal this and have TCEQ build elsewhere, away from our community.

Respectively submitted,

01:01 23. NH06

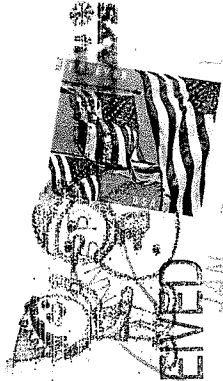
**Brandon Brittain**

**972 900 4010**

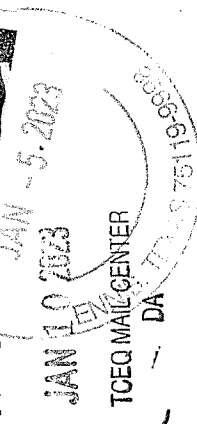
TCEQ 000

Brandon Brittain  
500 Chandler Rd.  
Emmits, Tx. 75117

NORTH TEXAS TX P&DC  
DALLAS TX 750  
5 JAN 2023 PM 9 L



RECEIVED



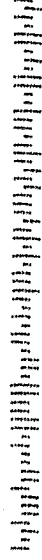
Office of the Chief Clerk  
MC-105

91AM '23 10:00

TCEQ OCC

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

78711-308797



500 Chmelar Rd  
Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
JAN 11 2023  
By GCW H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 500 Chmelar Rd. Ennis TX 75119.

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Please consider our request to appeal this and have TCEQ build elsewhere, away from our community.

Respectively submitted,

93:01 2Z NH06

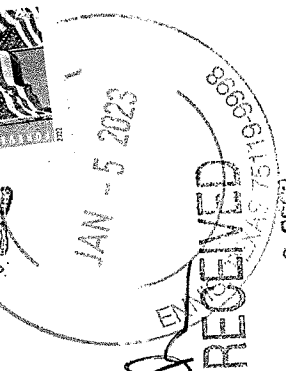
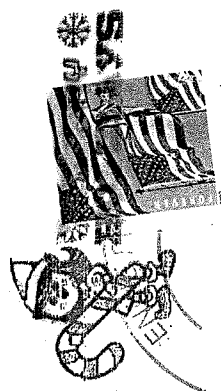
000 0301

**Jackie Brittain**

**469 988 0608**

*Jackie Brittain  
500 Chamelas Rd.  
Ennis, Tx. 75117*

NORTH TEXAS TX P&DC  
DALLAS, TX 750  
5 JAN 2023 PM 4 L



9199 23 10180  
000 0001

*Office of the Chief Clerk  
MC-1105  
TCEQ  
P.O. Box 3087  
Ennis, Tx. 75111-3087*

RECEIVED  
JAN 10 2023

TCEQ MAIL CENTER  
DA

78711-308787

500 Chmelar Rd  
Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
JAN 11 2023  
By GCW H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

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Please consider our request to appeal this and have TCEQ build elsewhere, away from our community.

Respectively submitted,

**Larry Brittain**

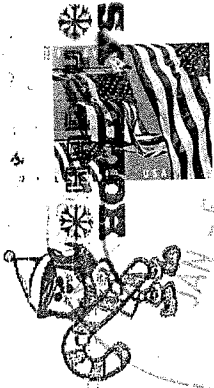
**972 330 3022**

TCEQ OCC

9JAN '23 10:34

Larry Brittain  
500 Chmelar Rd.  
Ennis, Tx. 75119

NORTH TEXAS TX P&DC  
DALLAS TX 750  
5 JAN 2023 PM 8 L



Office of the Chief Clerk  
MC F105

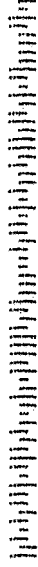
JAN 10 2023

TCEQ MAIL CENTER  
DA

TCEQ  
P.O. Box 13081

Quentin Jct. 78711-3081

78711-308787



00:01 SZ N106

10:01 SZ N106

TCEQ 000

## Vander Gold

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 21, 2022 9:25 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; Pubcomment-Dis; PUBCOMMENT-ELD  
**Subject:** FW: Public comment on Permit Number D-08222022-044

H

**From:** katbronstad@yahoo.com <katbronstad@yahoo.com>  
**Sent:** Tuesday, December 20, 2022 6:18 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Kathleen Bronstad

**EMAIL:** [katbronstad@yahoo.com](mailto:katbronstad@yahoo.com)

**COMPANY:**

**ADDRESS:** 118 SUN VALLEY LN  
WEATHERFORD TX 76087-5318

**PHONE:** 8175949535

**FAX:**

**COMMENTS:** I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County. I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My family's property is located at 1013 Shankle Road, Ennis, Texas 75119. The creation of this Utility District uniquely and adversely affects me in the following ways: I grew up on the farm still owned by my parents which is located south of the proposed MUD. I walked the creek that formed after rains and

the woods often. It was, and still is, a peaceful and beautiful place. If the development proposed by Mr. Steve Selinger goes through, that area will no longer be the peaceful and beautiful place it is now, and generations to come will lose an irreplaceable space of retreat and natural beauty. Past experience of downpours leads me to expect that the Shankle Road Municipal Utility District of Ellis County will create damaging flooding of this property. The MUD will create offensive odors from the proposed sewer treatment plant and from motor traffic. The MUD will disrupt the natural habitats of many creatures we see on the property, including my favorites: dove, frogs, and songbirds. The MUD will create trash that will blow or float down onto the property. The MUD will create light pollution, and we will no longer be able to see the stars. The mustang grapes and wild plums that grow on the property will be impacted, and my family won't be able to make our favorite jams. Even though I do not live on the farm on Shankle Road full-time, it is still my home, and I do not want to see it damaged.



**Christina Bourque**

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, January 11, 2023 11:34 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044  
**Attachments:** Stephen R Selinger Lawsuit 2020-05-19-00545-cv.pdf

H

**From:** jnbrowning11@gmail.com <jnbrowning11@gmail.com>  
**Sent:** Tuesday, January 10, 2023 8:15 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Jeffrey N Browning

**EMAIL:** [jnbrowning11@gmail.com](mailto:jnbrowning11@gmail.com)

**COMPANY:**

**ADDRESS:** 1880 ALSDORF RD  
ENNIS TX 75119-7470

**PHONE:** 9403917210

**FAX:**

**COMMENTS:** I am attaching our Conrtested hearing letter to the comments we are including here. We were just made aware of the Shankle Rd. MUD District proposed by Steve Selinger. We are an area property owner that uses Shankle Rd. daily to travel to Ennis and Waxahachie. We know this area can not support the traffic that this development will add to the area. Please read the attached letter with the sencerity it is written. We do not oppose every proposed

development, we strongly oppose approving a development in an area that is many years away from having the infrastructure to place to support it. We also see this applicant Steven Selinger as a developer that uses lawsuits to bully cities and residents to surrender our rights for their profit. Thank you Jeff Browning

**AFFIRMED IN PART, REVERSED IN PART, AND REMANDED and  
Opinion Filed July 1, 2020**



**In The  
Court of Appeals  
Fifth District of Texas at Dallas**

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**No. 05-19-00545-CV**

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**STEPHEN RICHARD SELINGER AND NANCY L. DAIL, Appellants**

**V.**

**CITY OF MCKINNEY, TEXAS, Appellee**

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**On Appeal from the 429th Judicial District Court  
Collin County, Texas  
Trial Court Cause No. 429-04150-2018**

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**MEMORANDUM OPINION**

Before Justices Bridges, Whitehill, and Nowell  
Opinion by Justice Whitehill

This is an appeal from an order sustaining the City of McKinney's plea to the jurisdiction and dismissing appellants' lawsuit.

Appellants are Nancy L. Dail, who owns land in the City's extraterritorial jurisdiction, and Stephen Richard Selinger, a would-be developer of that land. They sued the City, alleging that the City unlawfully denied Selinger's subdivision plat application because he wouldn't agree to pay a sum certain (roughly \$482,000) if the City ever extended its water and sewer lines to the subdivision. Appellants

asserted several claims, but their main thrust is that the City's conduct constituted an uncompensated regulatory taking of their property. The City's plea to the jurisdiction challenged appellants' pleadings on several grounds, chief among them lack of ripeness and, as to Selinger, lack of standing. On appeal, the City has added a mootness challenge.

As to ripeness, we conclude that the appellants pled enough facts to constitute an exaction—a governmental demand for action as a condition of permitting a proposed development—that is ripe for challenge in a takings lawsuit.

As to standing, we conclude that appellants pled enough facts to show that the denial of Selinger's plat after he spent money to prepare and submit it is an injury that is actual, concrete, and particularized enough to give him standing to sue.

As to mootness, we conclude that the submission of a new plat application by a nonparty limited liability company does not affect or obviate the injuries alleged by appellants in this lawsuit, even if the company is controlled by Selinger. Thus, this case is not moot.

We generally agree with appellants on their other issues as well. Appellants do not challenge the dismissal as to one specific request for attorney's fees, so we affirm the dismissal to that extent but otherwise reverse and remand for further proceedings.

## I. BACKGROUND

### A. Factual Allegations

We draw these allegations from appellants' live pleading:

Dail owns a tract of land situated entirely within Collin County and the City's extraterritorial jurisdiction (ETJ). Selinger contracted to buy that tract for development.<sup>1</sup>

Selinger proposed to subdivide the tract into approximately 331 lots, and he submitted his plan to City authorities. The City's water and sewer services don't serve that part of its ETJ, and the City has no plans to extend those services to it. Accordingly, Selinger's development plan included construction of necessary sewer infrastructure including a package plant. Selinger also reached an agreement with the North Collin Special Utility District to supply water to the subdivision. These were permanent solutions to the subdivision's water and sewer needs.<sup>2</sup>

Appellants alleged that Selinger's plat complied with all City standards except the requirement to pay an exaction<sup>3</sup> and connect to City water and sewer facilities. While attempting to negotiate a facilities agreement, the parties reached an impasse

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<sup>1</sup> Although appellants pled that Selinger had "a legally binding contract to purchase the property," their counsel conceded at oral argument that it was an option contract.

<sup>2</sup> At oral argument, the City took the position that it had the power to compel the subdivision to use the City's water and thus that its developer had no legal right to obtain water elsewhere. But this argument was not part of the City's jurisdictional plea or raised in the City's appellate briefs, so we do not address it.

<sup>3</sup> An exaction occurs if a governmental entity requires an action by a landowner as a condition to obtaining government approval of a requested land development. *City of Carrollton v. RIHR Inc.*, 308 S.W.3d 444, 449 (Tex. App.—Dallas 2010, pet. denied); *see also infra* at Part IV.B.1.

over the City's insistence that Selinger pay the City about \$482,000 if and when the City's water and sewer transmission lines were extended to the development.

Because Selinger would not agree to the \$482,000 fee, the City Council denied Selinger's plat application.

**B. Procedural History**

Ten days after the City Council denied Selinger's application, Selinger sued the City.

The City answered and included a plea to the jurisdiction.

Dail joined the case as a plaintiff in the first amended petition. Appellants filed three more amended petitions, and their fourth amended petition was their live pleading when the trial court rendered final judgment.

Their live pleading asserted six counts: (i) inverse condemnation and/or unconstitutional taking, (ii) taking under Government Code Chapter 2007, (iii) declaratory judgment that the City's subdivision ordinance was unconstitutional and violated Local Government Code § 212.904, (iv) violation of Local Government Code § 212.904, (v) appeal under Local Government Code § 212.904, and (vi) due process violations.

The City answered appellants' fourth amended petition and again included a plea to the jurisdiction. The City also filed a brief supporting its plea. Appellants responded to that brief.

After a hearing, the trial judge granted the City's plea and dismissed the lawsuit "with prejudice for want of subject matter jurisdiction." Appellants timely appealed.

### **C. Postjudgment Events**

The City's appellate brief asserts that the same day appellants filed their notice of appeal they also submitted a new subdivision plat that was substantially the same as the old one except that it did not request any variances, it agreed to comply with the City's water and sewer connection requirements, and it agreed to pay required impact fees. The City further asserts that these developments moot the appeal.

Appellants' reply brief disputes the City's mootness argument, arguing that the City's own supporting appendix shows that the new subdivision application was submitted by Norhill Energy LLC.

The City submitted a supplemental brief with evidence attached purporting to show that Selinger is a manager of Norhill Energy LLC. Appellants also submitted a supplemental brief.

## **II. ISSUES PRESENTED**

The "Issues Presented" section of appellants' opening brief recites that "[s]everal issues are presented, including the following . . . ." It then recites four issues. However, the City's jurisdictional plea presented seven arguments, and the argument section of appellants' opening brief addresses each of them under a

separate heading. Focusing on appellants' argument, we construe their brief to raise the following seven issues:

1. Appellants' claims were ripe.
2. Selinger had standing to sue.
3. The City failed to show a jurisdictional defect regarding appellants' Government Code Chapter 2007 claims.
4. The City failed to show a jurisdictional defect regarding appellants' federal takings claims.
5. The City failed to show a jurisdictional defect regarding appellants' Local Government Code § 212.904 claims.
6. Appellants are entitled to avail themselves of the Declaratory Judgments Act's attorney's fee provisions.
7. The City failed to show a jurisdictional defect regarding appellants' due process claims.

### **III. STANDARD OF REVIEW**

We review an order granting a jurisdictional plea de novo. *See Tex. Dep't of Parks & Wildlife v. Miranda*, 133 S.W.3d 217, 228 (Tex. 2004).

The City's plea was a pleadings challenge. Thus, we construe the pleadings liberally in appellants' favor and look to their intent. *See id.* at 226. If the pleadings don't contain sufficient facts to affirmatively demonstrate the trial court's jurisdiction but also don't affirmatively demonstrate incurable jurisdictional defects, "the issue is one of pleading sufficiency and the plaintiffs should be afforded the opportunity to amend." *Id.* at 226–27. If the pleadings affirmatively negate



jurisdiction, then a jurisdictional plea may be granted without allowing the plaintiffs an opportunity to amend. *Id.* at 227.

#### IV. ANALYSIS

##### A. Jurisdictional Challenges, Generally

Jurisdiction means a court's power, under the constitution and laws, to determine a dispute's merits and render judgment. *Ysasaga v. Nationwide Mut. Ins. Co.*, 279 S.W.3d 858, 864 (Tex. App.—Dallas 2009, pet. denied); *see also Univ. of Tex. Sw. Med. Ctr. at Dallas v. Loutzenhiser*, 140 S.W.3d 351, 359 (Tex. 2004) (“The failure of a jurisdictional requirement deprives the court of the power to act (other than to determine that it has no jurisdiction), and ever to have acted, as a matter of law.”).

Before a court may proceed to resolve a case's merits, it must have jurisdiction over (i) the parties or the property at issue, (ii) the suit's subject matter, (iii) authority to enter the requested judgment; and (iv) capacity to act as a court. *Miranda*, 133 S.W.3d at 226 (citing *State Bar of Tex. v. Gomez* 891 S.W.2d 243, 245 (Tex. 1994)). Although there are some instances where questions concerning a court's jurisdiction and the case's merits are intertwined, *see id.* at 230, a court ordinarily must not proceed on a case's merits until legitimate challenges to its jurisdiction are decided, *id.* at 228.

This case involves an array of subject matter jurisdiction challenges concerning the justiciability of Selinger's and Dail's claims. Justiciability includes

the mootness, standing, and ripeness doctrines. *See Patterson v. Planned Parenthood of Houston & Se. Tex., Inc.*, 971 S.W.2d 439, 442 (Tex. 1998).

These jurisdictional justiciability doctrines arise from the constitutional separation of powers rule against courts' rendering advisory opinions. *Id.* at 442–43. Stated differently, to avoid issuing unconstitutional advisory opinions, courts must first determine that the subject claims present a non-advisory, justiciable controversy.

The City asserts all three justiciability doctrines here. Although much of the parties' debate concerns the case's underlying merits, we can resolve all three of the City's subject matter jurisdiction challenges without reaching the case's merits, over which we express no opinions. For the reasons explained below, none of the City's challenges defeats the trial court's or our power to determine Selinger's and Dail's substantive claims.

**B. Issue One: Did appellants plead ripe takings claims?**

Yes. They alleged that the City denied Selinger's plat because he refused to agree to a contingent \$482,000 payment as a condition of plat approval. Those facts amount to an exaction, so appellants' takings claims were ripe.

This section discusses ripeness and not standing, which we discuss later in Part IV.C.

## 1. The Law of Ripeness and Exaction Takings

Ripeness is a component of subject matter jurisdiction. *Sw. Elec. Power Co. v. Lynch*, 595 S.W.3d 678, 682 (Tex. 2020). Ripeness concerns whether the facts are sufficiently developed so that an injury has occurred or is likely to occur rather than being contingent or remote. *Id.* at 683. If a claimant’s injury is based on hypothetical facts or events that haven’t happened yet, the case isn’t ripe, and the court lacks subject matter jurisdiction. *Id.*

Under the federal and Texas constitutions, the government must compensate a property owner for taking his property for a public use. *See* U.S. CONST. amends. V, XIV; TEX. CONST. art. I, § 17.

The government commits a “regulatory taking” if it imposes restrictions that either deny a property owner all economically viable use of his property or unreasonably interfere with his right to use and enjoy his property. *City of Carrollton v. RIHR Inc.*, 308 S.W.3d 444, 449 (Tex. App.—Dallas 2010, pet. denied).

And a distinct kind of regulatory taking occurs when the government conditions approval of a permit or some other type of approval on an exaction from the property owner. *Id.* Specifically, an exaction occurs if a governmental entity requires an action by a landowner as a condition to obtaining government approval of a requested land development. *Id.*

An exaction is a compensable taking unless the government imposed condition (i) bears an essential nexus to substantially advancing some legitimate government interest and (ii) is roughly proportional to the proposed development's proposed impact. *Town of Flower Mound v. Stafford Estates Ltd. P'ship*, 135 S.W.3d 620, 634 (Tex. 2004). In *Town of Flower Mound*, for example, the supreme court held that a potentially compensable exaction occurred when a town conditioned plat approval on the developer's rebuilding a nearby road at its expense. *Id.* at 623–24, 634–43.

Moreover, an exaction can occur even if the owner refuses to agree to the condition. In *City of Carrollton*, the city refused to issue building permits unless the property owner reimbursed the city about \$40,000 for repairing a collapsed retaining wall not located on the owner's property. 308 S.W.3d at 446–48. Instead of paying, the owner sued the city for an unconstitutional taking and won. *Id.* at 448. We rejected the city's argument that no exaction occurs if the property owner doesn't acquiesce in the condition, reasoning that the exaction is the government's demand of some fee, reward, or other compensation by the landowner. *Id.* at 450–51; *see also Koontz v. St. Johns River Water Mgmt. Dist.*, 570 U.S. 595, 612, 619 (2013) (“monetary exactions” must satisfy nexus and proportionality requirements even when government ultimately denies the permit).

## 2. Applying the Law to the Facts

The City argues that appellants' claims aren't ripe because (i) the \$482,000 fee has not been imposed and (ii) even if Selinger approved the facilities agreement he would not have to pay the \$482,000 unless and until the City extends its water and sewer lines to the property. Appellants argue that they were injured, and their claims ripened, when the City denied Selinger's plat because he wouldn't agree to pay \$482,000 in the event City water and sewer lines were built to the property.

We agree with appellants.

As we have said, an exaction occurs if a governmental entity requires a land owner to take an action as a condition to obtaining government approval for a requested land development. *City of Carrollton*, 308 S.W.3d at 449.

Logically, any demand for an action the land owner is not already legally required to take might qualify as an exaction. *See id.* at 451 (noting that one meaning of "exaction" is "A fee, reward, or other compensation arbitrarily or wrongfully demanded") (emphasis supplied; other emphasis omitted). The definition of exaction is broad enough to include a demand that the owner assume a contingent liability. And we find no cases holding a government's demand for land owner action qualifies as an exaction only if the demand is for a present monetary payment or land dedication. Thus, we conclude that demanding Selinger's commitment to pay \$482,000 under certain circumstances—a commitment that would be recorded against the property (according to appellants' pleading)—as a condition of plat

approval constituted an exaction and a sufficient injury for ripeness purposes even though the demanded payment was contingent rather than definite.

We sustain appellants' first issue.<sup>4</sup>

**C. Issue Two: Did Selinger adequately plead standing?**

Yes, because he pled that the City caused him actual, concrete, and particularized injuries in the form of his allegedly unlawfully denied plat and the money he spent to prepare and submit it.

**1. Applicable Law**

Standing, like ripeness, is a threshold issue implicating subject matter jurisdiction. *Patterson v. Planned Parenthood of Houston & Se. Tex., Inc.*, 971 S.W.2d 439, 442 (Tex. 1998). Ripeness examines when an action may be brought, while standing focuses on who may bring an action. *Id.*

The general test for standing is whether there is a real controversy between the parties that will be actually be determined by the judicial declaration sought. *Tex. Ass'n of Bus. v. Tex. Air Control Bd.*, 852 S.W.2d 440, 446 (Tex. 1993). Unless a statute confers standing, the plaintiff generally must show that he possesses an interest in the conflict distinct from the general public's interest, such that the defendant's actions have caused the plaintiff some particular injury. *Williams v. Lara*, 52 S.W.3d 171, 178 (Tex. 2001). That is, "[f]or standing, a plaintiff must be

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<sup>4</sup> Appellants' first issue also asks us to grant a summary judgment motion that they filed but the trial court never ruled on. We decline.

personally aggrieved; his alleged injury must be concrete and particularized, actual or imminent, not hypothetical.” *DaimlerChrysler Corp. v. Inman*, 252 S.W.3d 299, 304–05 (Tex. 2008) (footnotes omitted).

“A plaintiff does not lack standing simply because he cannot prevail on the merits of his claim; he lacks standing because his claim of injury is too slight for a court to afford redress.” *Id.* at 305; *accord Farmers Tex. Cty. Mut. Ins. Co. v. Beasley*, 598 S.W.3d 237, 241 (Tex. 2020) (“[T]he mere fact that a plaintiff may ultimately not prevail on the merits of the lawsuit does not deprive the plaintiff of standing.”).

## **2. Applying the Law to the Facts**

The question is whether appellants’ live pleading alleges facts that, if true, show an actual controversy between Selinger and the City in the sense that the City has caused him a particular injury that sets him apart from the general public. A commonsense reading of appellants’ live pleading shows that the answer is yes.

Appellants alleged that Selinger possessed multiple rights that were impaired, diminished, or nullified by the City’s “unlawful actions.” Specifically, they alleged that Selinger was injured in (i) his rights under his contract with Dail, (ii) his right to have the City consider his subdivision application without violating the state or federal constitutions, and (iii) his expenses incurred in the form of application fees and engineering, planning, and legal costs. Setting aside the merits of Selinger’s

claims, which are not before us in a standing inquiry, these are concrete and particularized injuries sufficient to survive a pleadings challenge.

The City, however, argues that (i) Selinger has only an option to buy Dail's land and (ii) an option contract isn't sufficient to confer standing under two Texas appellate decisions. *See City of Harlingen v. Obra Homes, Inc.*, No. 13-02-268-CV, 2005 WL 74121 (Tex. App.—Corpus Christi—Edinburg Jan. 13, 2005, no pet.) (mem. op.); *Chambers Cty. v. TSP Dev., Ltd.*, 63 S.W.3d 835 (Tex. App.—Houston [14th Dist.] 2001, pet. denied). We conclude, however, that those cases are distinguishable.

The *Chambers County* case involved claims under the Private Real Property Rights Preservation Act, Texas Government Code Chapter 2007. 63 S.W.3d at 837. That statute limits standing to property owners who possess “legal or equitable title,” and the court of appeals held that a potential buyer under an option contract did not qualify as an “owner.” *Id.* at 840. Here, however, appellants pled that Selinger had “a legally binding contract to purchase the property” and pled no facts suggesting he held only an option contract. Given this case's posture, our analysis is limited to the pleadings. Thus, *Chambers County* is distinguishable.<sup>5</sup>

The *City of Harlingen* case is also distinguishable. Developer Obra Homes had an option to buy some undeveloped land and attempted to have that land rezoned

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<sup>5</sup> However, appellants admitted at oral argument that Selinger's contract was in fact an option contract, so this issue could be revisited in the trial court.



for single family homes. However, its rezoning efforts failed, the option contract expired, and Obra Homes never acquired the property. Nevertheless, Obra Homes sued the City of Harlingen on takings and due process claims, and it obtained a judgment against the city after a jury trial. On appeal, the court of appeals held that Obra Homes lacked standing to sue, but only after concluding from the pleadings and trial record that Obra Homes had sued *solely* for loss of use and enjoyment of the property itself—not for injuries to its earnest money contract or expenses in seeking rezoning. 2005 WL 74121, at \*4–5. Accordingly, the court of appeals considered only whether Obra Homes had standing to sue for a taking of the real property itself, and because Obra Homes held only an option the court held it did not. *Id.* at \*4–5, 8.

Here, by contrast, Selinger has claimed that the City injured his rights in his plat application and the money he spent to prepare and submit the application, not just property rights in the property itself. For standing purposes, the question is not whether these are recoverable damages items on the merits but only whether Selinger has alleged a concrete, particularized injury from the City’s conduct. *See DaimlerChrysler Corp.*, 252 S.W.3d at 304–05 (test for standing); *see also City of Carrollton*, 308 S.W.3d at 452–54 (upholding award of expenses incurred during exaction period). Selinger’s allegation that the City unlawfully denied his plat after

he incurred expenses in preparing and submitting it asserts a concrete and particularized injury. We conclude it suffices to give him standing.<sup>6</sup>

We sustain appellants' second issue.

**D. Issue Three: Did appellants plead sufficient facts to satisfy Government Code § 2007.003?**

Yes. The City concedes as much in its appellee's brief.

Appellants pled statutory claims under Government Code Chapter 2007, also known as the Private Real Property Rights Preservation Act. *See Chambers Cty.*, 63 S.W.3d at 837. Chapter 2007 provides that sovereign immunity to suit and liability is waived to the extent of liability created under that chapter. TEX. GOV'T CODE § 2007.004(a). However, as to municipalities, Chapter 2007 applies only to an action "that has effect in the extraterritorial jurisdiction of the municipality, excluding annexation, and that enacts or enforces an ordinance, rule, regulation, or plan that does not impose identical requirements or restrictions in the entire extraterritorial jurisdiction of the municipality." *Id.* § 2007.003(a)(3), (b)(1).

In its jurisdictional plea, the City argued that jurisdiction was lacking over appellants' Chapter 2007 claims because the City imposes the same restrictions throughout its ETJ. However, appellants correctly argue that their live pleading expressly alleged that the City does not impose its restrictions uniformly, naming

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<sup>6</sup> Given our disposition, we express no opinion whether an option holder has standing to assert a takings claim based solely on his rights in the property itself.

another property in the ETJ that allegedly did not have the same requirements imposed on it.<sup>7</sup> The City's appellate brief concedes that this is sufficient to defeat this ground in the City's jurisdictional plea. We agree.

We sustain appellants' third issue.

**E. Issue Four: Did appellants plead sufficient facts to show that their federal takings claims are ripe?**

Yes. The City concedes that appellants' federal takings claims are ripe based on recent Supreme Court authority. *See Sw. Elec. Power Co.*, 595 S.W.3d at 682 (ripeness is a component of subject matter jurisdiction).

The City's jurisdictional plea argued that appellants' federal takings claims were not ripe because Texas state law provides an adequate procedure for seeking just compensation—specifically, an inverse condemnation action under Texas Constitution article I, § 17. For support, the City relied on authorities grounded in a subsequently overruled Supreme Court's decision. *See Williamson Cty. Reg'l Planning Comm'n v. Hamilton Bank of Johnson City*, 473 U.S. 172 (1985), overruled by *Knick v. Township of Scott, Pa.*, 139 S. Ct. 2162 (2019).

*Knick* holds that a property owner has an actionable Fifth Amendment takings claim when the government takes his property without paying for it and that he need

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<sup>7</sup> Appellants assert both that their pleading was sufficient to satisfy § 2007.003 and that the City's argument goes to the merits rather than to jurisdiction. We express no opinion regarding the latter premise.

not first obtain a state court denial of a state law just compensation claim. 139 S. Ct. at 2167–68. The City concedes that its position is untenable in *Knick*'s wake.

Appellants agree that their federal claim is ripe under *Knick*, although they also argue that the Texas Supreme Court already allowed federal takings claims to proceed alongside state claims. *See Town of Flower Mound*, 135 S.W.3d at 646 (indicating that federal and state claims may be brought in the same action).

Because we agree with the parties that appellants' federal takings claims are ripe, we sustain appellants' fourth issue.

**F. Issue Five: Did appellants plead sufficient facts to show jurisdiction over their Local Government Code § 212.904 claims?**

Yes. Appellants pled sufficient facts to make out § 212.904 claims and declaratory judgment claims that the City's subdivision ordinance is invalid under the Texas Constitution and § 212.904.

**1. Additional Background**

We begin with the statute. Texas Local Government Code § 212.904 is entitled "Apportionment of Municipal Infrastructure Costs." TEX. LOC. GOV'T CODE § 212.904. The statute establishes these rules and procedures:

- If a municipality requires as a condition of approving a property development project that a developer must bear some of the costs of municipal infrastructure improvements, "the developer's portion of the costs may not exceed the amount required for infrastructure improvements that are roughly proportionate to the proposed development as approved by a professional engineer who holds a license issued under Chapter 1001, Occupations Code, and is retained by the municipality." *Id.* § 212.904(a).

- If the developer disputes the determination made under § 212.904(a), it may appeal to the municipality's governing body, which shall make its determination within thirty days after the developer finishes presenting any testimony or other evidence. *Id.* § 212.904(b).
- If the developer disputes the governing body's determination, it may appeal that determination to county or district court within thirty days. *Id.* § 212.904(c).
- A developer who prevails in a § 212.904 appeal is entitled to recover costs and reasonable attorney's fees, including expert witness fees. *Id.* § 212.904(e).
- A municipality may not require a developer to waive its right to a § 212.904 appeal as a condition of approving a development project. *Id.* § 212.904(d).

Next, we summarize appellants' § 212.904 claims.

First, count three sought a declaratory judgment that the City's subdivision ordinance, on which the proposed facilities agreement was predicated, was invalid under the Texas Constitution and Local Government Code § 212.904.

Second, count four alleged that the City violated § 212.904(a) "by failing to make the determination" required by that subsection and thus prevented appellants from appealing to the City Council under § 212.904(b). They sought a judgment that (i) the City's \$482,000 demand was not roughly proportionate and (ii) awarded them costs and attorney's fees under § 212.904(e).

Third, in count five they alleged in the alternative that the City Council's denial of Selinger's plat was a ruling on a § 212.904(b) appeal and this lawsuit should be treated as a § 212.904(c) appeal of that ruling's rough proportionality

determination. They again sought a judgment that the City's \$482,000 demand was not roughly proportionate and a recovery of costs and attorney's fees under § 212.904(e).

The City's jurisdictional plea asserted the following:

The court does not have subject matter jurisdiction over Plaintiffs' declaratory judgment claims seeking an interpretation of Texas Local Government Code Section 212.904 . . . as Plaintiffs have asserted no viable claim under Section 212.904, and have asserted no appeal under Section 212.904, which appeal is required in order to invoke the provisions of Section 212.904. As Plaintiffs have failed to exhaust their administrative remedies under Section 212.904, this court lacks jurisdiction to hear such claims at this time.

The City's appellee's brief clarifies that it intended to assert two points: (i) appellants failed to state a § 212.904 claim and (ii) appellants failed to exhaust administrative remedies by appealing under § 212.904(c).

## **2. Applying the Law to the Facts**

### **a. Declaratory Judgment Claims (Count Three)**

Although appellants' briefing is sketchy, it sufficiently argues that they pled declaratory judgment claims that the City's subdivision ordinance is invalid because it violates the Texas Constitution and Local Government Code § 212.904.<sup>8</sup> *See St. John Missionary Baptist Church v. Flakes*, 595 S.W.3d 211, 213–14 (Tex. 2020) (per curiam) (appellate courts should be reluctant to conclude that issues are waived for inadequate briefing). A claim that an ordinance is invalid is cognizable under

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<sup>8</sup> Appellants do not dispute that the City's "failure to plead a viable § 212.904 claim" argument is jurisdictional, so we assume without deciding that it is.

the Declaratory Judgments Act. *See* TEX. CIV. PRAC. & REM. CODE §§ 37.004(a), 37.006(b).

We conclude that appellants sufficiently pled a declaratory judgment claim challenging the City's subdivision ordinance's validity.

**b. Claims for § 212.904 Relief (Counts Four and Five)**

As to counts four and five, appellants argue that these are pleadings in the alternative: either (i) the City violated § 212.904(a) because the \$482,000 demand was not approved by a professional engineer as roughly proportionate to the proposed development (count four) or (ii) if the demand was approved by a professional engineer, this lawsuit is an appeal of the City Council's determination adhering to that demand (count five). They further argue that they pled sufficient facts to show subject matter jurisdiction over these claims.<sup>9</sup>

The City responds that appellants haven't pled enough facts to make out a § 212.904 claim or show administrative exhaustion because they didn't plead that they actually requested an appeal before the City Council or received a determination from the City Council sufficient to support a judicial appeal under § 212.904(c).

We agree with appellants. Appellants have pled that the City Council's decision denying the plat because Selinger wouldn't agree to the \$482,000 contingent payment was the Council's determination of appellants' appeal and was

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<sup>9</sup> Appellants do not dispute that compliance with § 212.904's procedures is a jurisdictional prerequisite, so we assume without deciding that it is.

erroneous because it was either (i) made without the required engineer's approval under § 212.904(a) or (ii) exceeded an amount roughly proportionate to the proposed development. Section 212.904 does not require any particular procedure for an appeal to the municipality's governing body, nor does it prescribe a specific form for that body's appealable determination. *See* LOC. GOV'T CODE § 212.904(b), (c); *cf. Mira Mar Dev. Corp. v. City of Coppell, Tex.*, 421 S.W.3d 74, 80–81 (Tex. App.—Dallas 2013, pet. denied) (describing § 212.904 procedures used in that case). We find no authority showing that appellants' alleged facts don't satisfy § 212.904. We conclude that appellants adequately pled facts showing jurisdiction over counts four and five.

### **3. Conclusion**

We sustain appellants' fifth issue.

#### **G. Issue Six: Did appellants plead facts showing jurisdiction over their claims for attorney's fees under the Declaratory Judgments Act?**

Yes. As discussed above regarding issue five, appellants sufficiently pled declaratory judgment claims seeking to invalidate the City's subdivision ordinance.

The City's jurisdictional plea included a broad assertion that the trial court lacked jurisdiction over all of appellants' claims for attorney's fees, regardless of the legal theory, because (i) Texas Constitution Article I, § 17 doesn't authorize a fee recovery and (ii) appellants invoked the Declaratory Judgments Act solely as a vehicle to recover attorney's fees.



Appellants don't dispute that fees aren't recoverable for a Texas Constitution takings claim, so we affirm the dismissal as to those fees.

However, appellants argue that they properly invoked the Declaratory Judgments Act, which authorizes the trial court to award fees. *See* TEX. CIV. PRAC. & REM. CODE § 37.009. Specifically, they argue that they invoked § 37.004(a) to test the City's subdivision regulations on which the City based its exaction from appellants.

The City repeats its trial court argument that appellants' declaratory judgment claims are improper because they afford appellants no greater remedy than their substantive takings claims.<sup>10</sup> *See City of Carrollton*, 308 S.W.3d at 454–55.

We agree with appellants. Their live pleading included declaratory judgment claims seeking to invalidate the City's subdivision ordinance as invalid under the Texas Constitution and Local Government Code § 212.904. A claim that an ordinance is invalid is cognizable under the Declaratory Judgments Act. *See* TEX. CIV. PRAC. & REM. CODE §§ 37.004(a), 37.006(b). That relief is distinct from the other relief appellants seek. Thus, the trial court had jurisdiction to entertain appellants' declaratory judgment related fee claims.

We sustain appellants' sixth issue as to their declaratory judgment fee claims.

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<sup>10</sup> Again appellants don't dispute that the City's argument raises a jurisdictional defect, so we assume without deciding that it does.

**H. Issue Seven: Did appellants plead facts showing jurisdiction over their due process claims?**

Yes. The district court is presumed to have subject matter jurisdiction, and the City's argument that there is no damages remedy for violating the Texas Constitution's due process clause doesn't identify a jurisdictional defect.

Appellants' last count was for damages resulting from a denial of their due process rights. They did not specify whether they were invoking federal or state constitutional due process rights, although they cited a passage from *City of Harlingen* addressing federal due process.

The City's jurisdictional plea argued that there was no jurisdiction over appellants' state law due process claims because no damage remedy is available under the Texas Constitution's due process clause.

Appellants' opening brief argues only that the availability of damages under the Texas Constitution's due process clause is a merits question, not a jurisdictional defect. We construe this to mean appellants have abandoned (or never intended to assert) any federal due process claims.<sup>11</sup>

The City's appellate brief reiterates that damages are unavailable for state constitutional violations, but it cites no authority for the premise that this is a jurisdictional defect. In the City's principal authority, the supreme court held that

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<sup>11</sup> Appellants' reply brief says that Selinger expressly asserted "his federal rights" in the trial court, but we don't consider arguments made for the first time in a reply brief. *See Sanchez v. Martin*, 378 S.W.3d 581, 590 (Tex. App.—Dallas 2012, no pet.) ("[W]e cannot consider matters raised for the first time in a reply brief.").

there is no private damages cause of action under the Texas Constitution's free speech and assembly rights. *See City of Beaumont v. Bouillion*, 896 S.W.2d 143, 149–50 (Tex. 1995). But the court then rendered a take nothing judgment against the claimants, never suggesting that the defect was jurisdictional.

We agree with appellants. Courts of general jurisdiction, such as Texas's district courts, are presumed to have subject matter jurisdiction absent a contrary showing. *See In re Entergy Corp.*, 142 S.W.3d 316, 322 (Tex. 2004) (orig. proceeding). A showing that a claim is legally meritless does not mean the trial court lacks jurisdiction to render such a judgment. *See City of Port Isabel v. Pinnell*, 161 S.W.3d 233, 241 (Tex. App.—Corpus Christi—Edinburg 2005, no pet.) (“Failure to state a claim is a defect which should be challenged by special exceptions, not by a plea to the jurisdiction.”); *see also* TEX. R. CIV. P. 91a.

We sustain appellants' seventh issue.

## V. MOOTNESS

Finally, we consider the City's mootness argument. We conclude the case is not moot because the City's treatment of the new plat application will not affect this controversy.

A case becomes moot if there ceases to be a justiciable controversy between the parties, whether because the issues presented are no longer “live” or the parties lack a legally cognizable interest in the outcome. *Glassdoor, Inc. v. Andra Grp., LP*,

575 S.W.3d 523, 527 (Tex. 2019). If a case becomes moot, the court must vacate all prior orders and judgments and dismiss the case for want of jurisdiction. *Id.*

Here, appellants' claims are predicated on the City's denying Selinger's plat after he refused to agree to pay roughly \$482,000 in water and sewer impact fees if City water and sewer lines were ever extended to the property. Appellants claim to have been injured by this denial. They assert, for example, that the City's conduct is an exaction that "reduce[d] the value of the property by at least 25%." They also seek costs and attorney's fees under various laws.

The City's mootness argument relies on evidence that a new plat for the same property was submitted at the same time appellants appealed in this case. Specifically, Norhill Energy, LLC submitted the plat. The City has submitted evidence to us showing that Selinger is Norhill's organizer and manager. The City's evidence also shows that Norhill has sued the City over its plat on claims unrelated to appellants' claims in this case. The City argues that the attempted "do over" plat moots the claims arising from the first plat.

Appellants make several responses, including: (i) they are not Norhill, which is a separate entity, (ii) they are suing for damages that have already accrued, regardless of what happens to Norhill's plat, (iii) Norhill's plat proposes to connect to the City's water and sewer, but that doesn't mean that the City didn't mishandle Selinger's plat, which did not contain such a proposal, and (iv) the City's treatment of Norhill's plat cannot undo its wrongful actions on Selinger's plat.

We agree with appellants. A limited liability company is a legal entity separate from its members. *Sherman v. Boston*, 486 S.W.3d 88, 94 (Tex. App.—Houston [14th Dist.] 2016, pet. denied). The fact that Norhill has filed a new plat fails to establish that appellants did not suffer the damages they claim from the City’s treatment of Selinger’s plat. Nor does it affect appellants’ claims that the City’s conduct violated statutes and constitutional provisions or that the City’s subdivision ordinance is itself illegal and unconstitutional. *See City of Harlingen*, 2005 WL 74121, at \*3–4 (developer’s claims against city for zoning decisions not mooted when developer’s right to buy property expired).

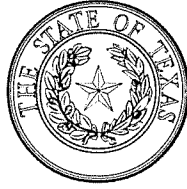
We reject the City’s mootness argument.

#### **VI. DISPOSITION**

We affirm the trial court’s order granting the City’s plea to the jurisdiction to the extent it dismissed appellants’ claims for attorney’s fees regarding their takings claims under the Texas Constitution. In all other respects, we reverse the order granting the plea to the jurisdiction. We remand the case for further proceedings consistent with this opinion.

/Bill Whitehill/  
BILL WHITEHILL  
JUSTICE

190545F.P05



**Court of Appeals  
Fifth District of Texas at Dallas**

**JUDGMENT**

STEPHEN RICHARD SELINGER  
AND NANCY L. DAIL, Appellants

No. 05-19-00545-CV      V.

CITY OF MCKINNEY, TEXAS,  
Appellee

On Appeal from the 429th Judicial  
District Court, Collin County, Texas  
Trial Court Cause No. 429-04150-  
2018.

Opinion delivered by Justice  
Whitehill. Justices Bridges and  
Nowell participating.

In accordance with this Court's opinion of this date, we **AFFIRM** in part and **REVERSE** in part the trial court's Order Granting Plea to the Jurisdiction. We **REVERSE** the trial court's Order Granting Plea to the Jurisdiction to the extent it dismissed Counts 1, 2, 3, 4, 5, and 6 of appellants Stephen Richard Selinger and Nancy L. Dail's Fourth Amended Petition, with the exception that we **AFFIRM** the Order Granting Plea to the Jurisdiction to the extent it dismissed appellants Stephen Richard Selinger and Nancy L. Dail's claims for attorneys' fees regarding their takings claims under the Texas Constitution. We **REMAND** this cause to the trial court for further proceedings consistent with this opinion.

It is **ORDERED** that appellants Stephen Richard Selinger and Nancy L. Dail recover their costs of this appeal from appellee City of McKinney, Texas.

Judgment entered July 1, 2020.

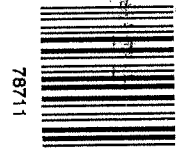
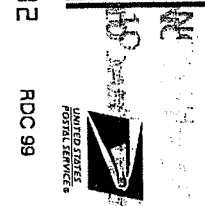
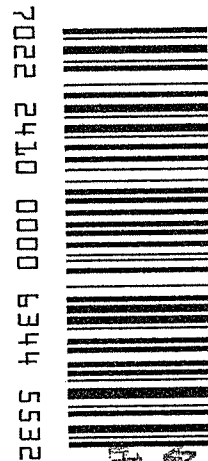
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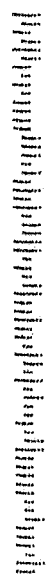
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By ML

In Re: Petition D-08222022-044  
petitioned by Steve Selinger.

Attn to whom it may concern:

I request a contested case hearing  
for the above mentioned petition for  
the creation of Shankle Rd MUD  
of Ellis County.

I am an affected person entitled  
to a contested hearing on the issues  
raised in the hearing request.

My property is located in Bristol  
at 5337 FM 660.

This petition approval would  
adversely affect me in the following  
ways.

- 1) water runoff - While in the petition  
states it will be handled all  
creeks that would catch the run  
off to Red Oak Creek which is



just north of my house and  
floods annually therefore the excess  
would be harmful to all wild  
life in these areas. Red Oak  
Creek as I'm sure you know empties  
into the Trinity.

While I feel Ellis County  
has and can accept gradual  
growth the addition of the  
proposed addition would put  
an extreme burden to all

2) roads

3) emergency services which  
you know outside the city  
are all volunteer.

4) police protection which fall  
at the county level.

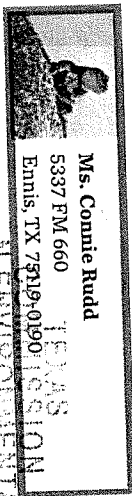
Regards

Connie Rudd - registered voter

5337 FM 660

Ennis, TX 75119

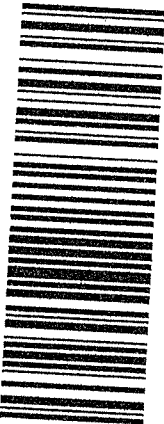
phone - 972-351-6473



Ms. Connie Rudd  
5337 FM 660  
Ennis, TX 75118-0190  
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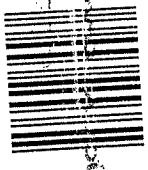
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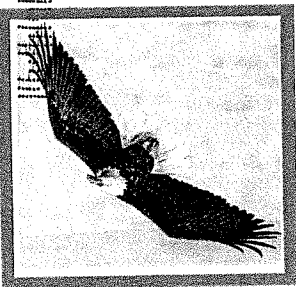
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David Blake Butler  
411 Eason Road  
Ennis, TX 75119

December 21, 2022

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Austin, TX 78711-3087

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By GCW H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

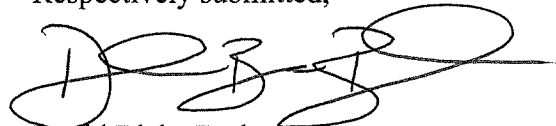
I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 411 Eason Rd; Ennis, Texas 75119 and is within a mile of the proposed site.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- *Water released into the creek, possible flooding, and potentially untreated water run-off as well as smell from the sewage plant*
- *Smells/ Odors from sewer treatment plant*
- *Impact on wildlife, livestock, and grassland*
- *Trash/Debris/clutter*
- *Increased Traffic on my road. I have 3 young children and many other residents do as well.*
- *Impact on Schools already at capacity. This creates a need for new school(s) as well as affects taxpayers.*
- *Emergency Services - Garrett and Bristol volunteer fire departments are not equipped to handle the additional services, manpower and equipment needed for the additional development. This will create additional burdens to the Ellis County sheriff's Dept. in addition to the burdens on the volunteer fire departments. This is a major concern of protection for all residents of Ellis County.*
- *Increase in Crime with the addition of low-cost households and a decrease in safety.*
- *Tax impact of the addition of homes to our area.*
- *County maintenance of roadways will be affected and maintenance is already stretched.*

The list above is only some of the potential issues that can and will affect me directly.

Respectively submitted,



David Blake Butler  
469.337.9334

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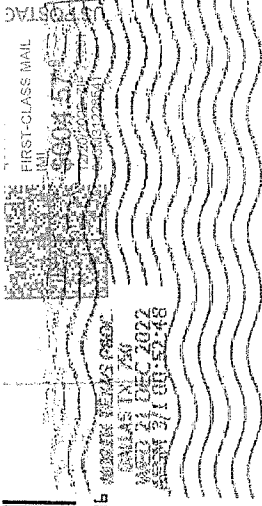
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In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **8540 FM 879 Palmer, Texas 75152.**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

· Wildlife Impact- The proposed development is and historically has been a nesting ground for wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations.

All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain.

An extensive wildlife impact study should be done to see what wildlife this development will affect. This development will also forcibly relocate predatory animals such as coyotes to surrounding properties, such as mine and those around me with livestock on their property. Our livestock is how we make a living and provide for our families.

- Flooding/drainage - is a concern all landowners downstream from Shankle Road to Novy Road to 4-mile creek to Village Cr to Telico and on to the Trinity River.

-Trash/Debris/clutter - Developing property with such a high density of housing creates excessive amounts of trash, debris and clutter throughout the surrounding properties. The petitioner has not addressed the negative impact of excessive waste to surrounding properties and debris to the landfill.

- Traffic - the roads leading to this development are Farm to Market roads. A two lane road is not ready for the increased traffic of up to 1600 more cars.

- Schools- The additional households will create an estimated 1040 students (2 elementary schools) for the Palmer ISD. This creates a huge burden on all property owners in Palmer ISD. This property is in a weird location. They are in Palmer ISD, but not a Palmer address. This means that their property taxes will not go where their children are being educated. Our small district is already at capacity with the students that are

location. They are in Palmer ISD, but not a Palmer address. This means that their property taxes will not go where their children are being educated. Our small district is already at capacity with the students that are already in the district. Every room in the 3 buildings we currently have is in use. I am concerned with how we are going to accommodate the estimated 1040 additional students that could come from this housing project.

Respectively submitted,

A handwritten signature in black ink, appearing to read 'Chris Caldwell', written in a cursive style.

**Christopher Caldwell**

**972-935-8559**

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December 21, 2022

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In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **8540 FM 879 Palmer, Texas 75152**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- Smells/ Odors from sewer treatment plant – submitted plans by Petitioner are inadequate for the proposed development and additional developments the developer may add to the District.
- Flooding/drainage - is a concern all landowners downstream from Shankle Road to Novy Road to 4-mile creek to Village Cr to Telico and on to the Trinity River.
- Trash/Debris/clutter - Developing property with such a high density of housing creates excessive amounts of trash, debris and clutter throughout the surrounding properties. The petitioner has not addressed the negative impact of excessive waste to surrounding properties and debris to the landfill.
- Traffic - the roads leading to this development are Farm to Market roads. A two lane road is not ready for the increased traffic of up to 1600 more cars.
- Schools - The additional households will create an estimated 1040 students (2 elementary schools) for the Palmer ISD. This creates a huge burden on all property owners in Palmer ISD. This property is in a weird location. They are in Palmer ISD, but not a Palmer address. This means that their property taxes will not go where their children are being educated. Our small district is already at capacity with the students that are already in the district. Every room in the 3 buildings we currently have is in use. I am concerned with how we are going to accommodate the estimated 1040 additional students that could come from this housing project.

Respectively submitted,

*Julie Caldwell*

Julie Caldwell - 921-2241





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**Christina Bourque**

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**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Archa Cassel

**EMAIL:** [Archac4jk@gmail.com](mailto:Archac4jk@gmail.com)

**COMPANY:**

**ADDRESS:** PO BOX 213  
RICE TX 75155-0213

**PHONE:** 9036413409

**FAX:**

**COMMENTS:** I am requesting a hearing in regards to the Shankal Rd MUD. After researching the proposed project I have concerns regarding the ability of local infrastructure to support the building of such a project and the following use of proposed project. The school district, first responders (medical, fire, and police) are understaffed and under equipped as it is and an additional population influx of that degree would further stress these departments, resulting in ill effects to

the existing community. I also have concerns on the effects to all of the wildlife and people down stream. I am requesting a denial of the creation of the Shankel Rd MUD.

208 Lone Oak Rd  
Ennis, TX 75119

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED

TCEQ 000

DEC 20 2022

27DEC '22 14:41

By GCW H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **208 Lone Oak Road**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

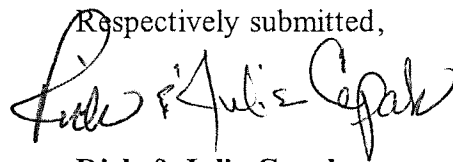
**Emergency Services – The Garrett and Bristol fire departments will not be equipped to handle the additional services needed for adequate fire protection. There will be additional equipment and manpower needed. This cost will be passed on to the current residents in the towns and Emergency Services Districts.**

**Traffic – The roads are already a disaster from the rock haulers that fly up and down them, adding 1600 additional cars DAILY will destroy them.**

**Wildlife Impact – This development will completely destroy an entire nesting ground for wildlife. It will force predatory animals onto the landowners property causing more protection needed for their livestock.**

**Flooding/drainage - An extensive drainage plan must be demanded for the entire path through Ellis County.**

Respectively submitted,



Rick & Julie Cepak

214-538-2544

214 Lone Oak Rd  
Ennis, TX 75119

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED

DEC 28 2022

By Gu

TCEQ OCC

27DEC '22 14:41

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **214 Lone Oak Road**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

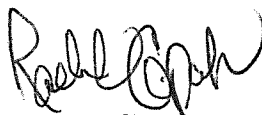
**Emergency Services – The Garrett and Bristol fire departments will not be equipped to handle the additional services needed for adequate fire protection. There will be additional equipment and manpower needed. This cost will be passed on to the current residents in the towns and Emergency Services Districts.**

**Traffic – The roads are already a disaster from the rock haulers that fly up and down them, adding 1600 additional cars DAILY will destroy them.**

**Flooding/drainage - An extensive drainage plan must be demanded for the entire path through Ellis County.**

**Trash/Debris - Developing 800 new homes will create excessive amounts of trash and debris throughout the surrounding properties. The petitioner has not addressed the negative impact of excessive waste and debris to the landfill.**

Respectively submitted,



Rachel Cepak

320 Lone Oak Rd  
Ennis, TX 75119

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 23 2022  
By Gue H

TCEQ OCC

In Re: Petition D-08222022-044, petitioned by Steve Selinger

27DEC '22 14:41

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **320 Lone Oak Road**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

**Emergency Services – The Garrett and Bristol fire departments will not be equipped to handle the additional services needed for adequate fire protection. There will be additional equipment and manpower needed. This cost will be passed on to the current residents in the towns and Emergency Services Districts.**

**Safety/Crime - Adding 800 homes will create an additional burden on the Ellis County Sheriffs Dept.**

**Traffic – The roads are already a disaster from the rock haulers that fly up and down them, adding 1600 additional cars DAILY will destroy them.**

**Wildlife Impact – This development will completely destroy a nesting ground for wildlife. It will force predatory animals onto the landowners property causing more protection needed for their livestock.**

Respectively submitted,

  
Bradley & Sarah Cepak

214-538-9910

**Cepak Financial Services**

300 W. Crockett • P.O. Box 8125  
Ennis, TX 75120

RECEIVED

DEC 27 2022

TCEQ MAIL CENTER

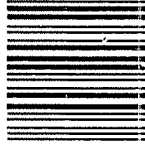
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RDC 99



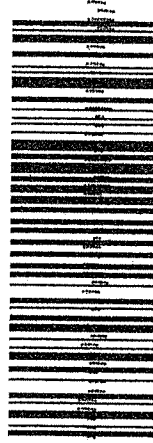
78711

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ENNIS, TX  
75119  
DEC 20, 22  
AMOUNT

**\$8.09**

R2904M113118-12

OFFICE OF THE CHIEF CLERK, MC-105, TCEQ  
PO Box 13087  
Austin, TX 78711-308



787113087 8012

7022 1670 0001 5390 8803

## Vander Gold

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, December 19, 2022 2:47 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044

H

**From:** Acts3.6@netzero.com <Acts3.6@netzero.com>  
**Sent:** Monday, December 19, 2022 12:22 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** MRS Kelli Burton Childs

**EMAIL:** [Acts3.6@netzero.com](mailto:Acts3.6@netzero.com)

**COMPANY:**

**ADDRESS:** 7338 FM 879  
PALMER TX 75152-9113

**PHONE:** 8174562558

**FAX:**

**COMMENTS:** I request a contested case hearing for petition D-08222022-044, petitioned by Steve Salinger, for the creation of Shankar Road Municipal Utility District of Ellis County. My property is located at 7338 FM 879, Palmer, TX., 75152. The creation of this Utility District adversely affects me and my household. FM 879 is a 2 lane, unshouldered road. The construction vehicles required to build such a dense neighborhood would put undue stress on our road. The increased traffic from the inhabitants of this high capacity neighborhood would make FM 879 dangerous and in constant



need of repair. Repairs require traffic to be funneled down to one lane which would intensify all the above stated problems. Please consider denying the development of the Shenkle Road Mudd. Thank you for your consideration. Kelli Childs

1128 Novy Rd  
Ennis, TX 75119  
Date December 19, 2022

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 22 PM 2:38

CHIEF CLERKS OFFICE

REVIEWED

DEC 23 2022

BY

*Handwritten signature*

Office of the Chief Clerk  
MC-105 TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087u

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I am requesting a contested case hearing for Petition D-08222022-044, petitioned by Mr. Steve Selinger for the creation of Shankle Road Municipal Utility District of Ellis County.

The creation of this Utility District uniquely and adversely affects me in the following manner:

A: Our property is at 1128 Novy Rd. The Fourmile creek runs through our property on the northwest end. This creek overflows constantly in the spring rains, getting out of its bounds and occasionally temporarily closing Novy Rd. Adding more water discharge from this project would be adding additional water in an already unsafe situation.

B. Smell from a sewage treatment plant is totally unacceptable. The current homeowners in the county are required to have their own septic/aerobic systems. We are required to install and maintain these

948 Shankle Rd  
Ennis, TX 75119  
972-935-2413

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 948 Shankle Rd., Ennis, TX 75119

The creation of this Utility District uniquely and adversely affects me in the following way:

- \* Emergency services. No fire hydrants. Experienced a grass fire and nearly destroyed land by the time a "fire truck" got to our property
- \* Trash, debris and clutter. Take a drive around of a high density housing neighborhood. Can you imagine living like that? We take pride in our community!
- \* Legacy--should be first on my list. Our land was purchased in the early 1900's by our great, great grandfather who immigrated from Czechoslovakia. They toiled as cotton farmers and made a good life for future Chmelars,-us-who hoped to pass this land and all the improvements we have made over the years, like planting over 70 trees.
- \* Wildlife. We so enjoy the wildlife--ducks, geese, hummingbirds, and other wildlife critters showing up now and then. The proposal would be to conduct a wildlife study.
- \* Well water. Have you ever tasted well water? Try it sometime...
- + Extensive impact study and hydraulic analysis regarding adequate water volume and flow and we demand the study.
- \* Worries of crop contamination down stream
- \* Flooding and drainage of the downstream from Shankle Rd to Novy Road. We need drainage of runoff East and South.
- \* Oh, the stress of it all!

2022 DEC 22 PM 2:43  
CHIEF CLERKS OFFICE  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

REVIEWED  
DEC 23 2022  
By RB

H

1

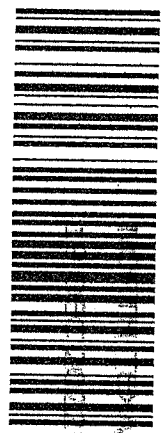
*Respectively submitted*  
*Vicki Chmelar*  
*Jack Chmelar*

Vicki Chmela  
948 Shankle Rd.  
Ennis, TX 75119

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 22 PM 2:24  
CHIEF CLERKS OFFICE

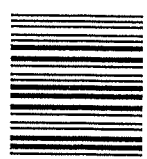
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RDC 99



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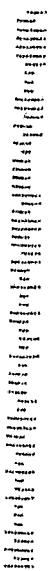
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R2304M115704-89

Office of the Chief Clerk, MC 105  
TCEQ

P.O. Box 13087

Austin, TX 78711-3087

78711-3087



Jeanne Clark  
902 South Paris  
Ennis, TX 75119

December 21, 2022

REVIEWED  
DEC 28 2022  
By Gcw H

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TCEQ OCC

27DEC '22 14:58

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I am sending this to request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. I live in Ennis and will be building my home on FM 660. My property will be less than one mile from the petitioned property.

The creation of this Utility District will affect my property

- 1) Environmentally- the addition of the number of homes will have an impact on the land
- 2) Drilling wells will deplete the natural spring on my land and surrounding properties
- 3) Wildlife will be affected
- 4) The density of homes will cause traffic, trash and noise issues.
- 5) Inadequate drainage will cause flooding downstream, part of my land is on a low point. I am concerned about the run off water.
- 6) The location of the MUD is not beneficial to Ellis county or the city of Ennis. It will cause a strain on all involved

Thank you for your consideration,



Jeanne Clark

214-213-3434

Clark  
902 S. Paris  
Ennis, Texas  
75119



U.S. POSTAGE PAID  
FCM LETTER  
ENNIS, TX  
75119  
DEC 21, 22  
AMOUNT  
**\$7.85**  
R2304M113118-12

RDC 99

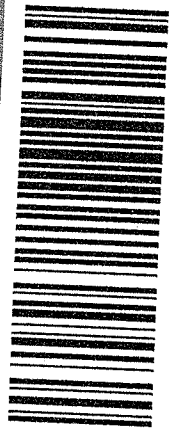
78711

DEC 22 14:59  
RDC 99

Office of the Chief Clerk  
MC-105, TCEQ  
PO Box 13087  
Austin, Texas 78711-308

RECEIVED  
DEC 27 2022  
TCEQ MAIL CENTER  
- CJ

PLACE STICKER AT TOP OR ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.  
**CERTIFIED MAIL**

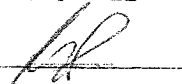


78711-308787 2022 1620 0002 5390 9046

Marc Clark  
902 South Paris  
Ennis, TX 75119

REVIEWED December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

DEC 23 2022  
By  H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I am sending this letter to request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

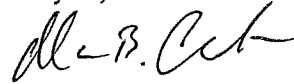
I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is on 660 and is less than 1 mile from the Shankle Road MUD

The creation of this Utility District will affect my property and the surrounding farmers

My major concern is drainage. I am downstream just south of the proposed district. An extensive environmental impact study is requested to study the effects of crops and livestock downstream. The Shankle Road MUD cannot exist without negative affects on the surrounding farmers and ranchers.

The proposed district will disrupt the land, wildlife and environment, not to mention the affect it will have on the roads, traffic and general quality of life for the county.

Thank you,



Marc Clark

214-674-8937

CHIEF CLERKS OFFICE

2022 DEC 23 AM 9:54

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

M. Clark  
902 S. Paris  
Ennis, TX  
75119

7022 1670 0001 5390 9039



**CERTIFIED MAIL**  
PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

RECEIVED

DEC 23 2022



RDC 99



78711

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75119  
DEC 21, 22  
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Office of the Chief Clerk

MC-105 TCEA

P.O. Box 13087

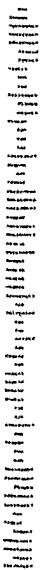
Austin, Texas 78711-308

CHIEF CLERKS OFFICE

2022 DEC 23 AM 9:54

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

78711-308787





Marlene Clark  
2401 Christian Road  
Ennis Texas. 75119

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED

DEC 22 2022

By 

CHIEF CLERKS OFFICE

2022 DEC 22 AM 10:00

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 2401 Christian Rd.

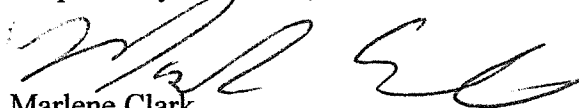
The creation of this Utility District uniquely and adversely affects me in the following way(s):

My home is located on in Ellis County, East of Highway 45 next to the developing subdivision on Christian Road which is planning for 1000 homes. With these houses that are more than half way developed, I have noticed increase traffic, crime, trash being thrown onto Christian road and a sewer smell going into the creek located on my family's property.

The MUD community proposed for Shankle Road is located behind my property. Future residents will have to drive past my home to get to town and our roads will not support this. In addition to high traffic, the City and County can not keep up the needed police officers, firefighters, new schools, groceries stores needed to support this MUD community.

My main concern is the crime that will be brought to our County by developing low income housing. Small lots, cheap houses will attract low income families that will not be able to upkeep this area. Therefore this will result in high crime with a community that destined to fail. Obviously this developer is not interested in the future of our county, but only the MONEY for himself.

Respectively submitted,



Marlene Clark  
214-674-7070

Clark  
2401 Christian Rd  
Ennis, Tx 75119

RECEIVED

DEC 22 2022

ICED MAIL CENTER  
AJ

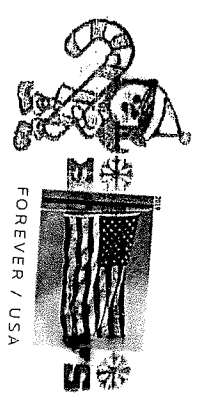
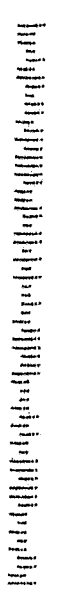
NORTH TEXAS TX P&DC  
TEX DALLAS TX 750  
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ON ENVIRONMENTAL  
QUALITY

2022 DEC 22 AM 10:00

CHIEF CLERKS OFFICE

Office of the Chief Clerk, MC 125  
TCEQ  
P.O. Box 13087  
Austin, Tx 78711-3087

78711-3087



Dec. 30, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, Texas 78711-3087

REVIEWED  
JAN 03 2023  
By Gaw H

Re: Petition D-08222022-044, petitioned by Steve Selinger

I would like to request a special hearing for the above petition for the creation of Shankle Road Municipal Utility District in Ellis County. I am a nearby land owner who could be affected by the waste water discharge or water delivery or tapping of an aquifer for wells in this area for this development.

Please provide me in advance copies of any preliminary petition, preliminary plans, well applications, or any water delivery plans or agreements with any local water authority ahead of the hearing. Please notify me in advance of the date, time, and location of the hearing.

Thank you,

Jenna M. Clemett  
Jennie M. Clemett  
421 Woodhill DR.  
Coppell, TX 75019  
jennclm421@yahoo.com

TCEQ OCC  
5300 73 10000

CLEMETT  
421 Woodhill Dr  
COPPELL, TEXAS 75019



NORTH TEXAS TX PSDC  
DALLAS TX 750  
3 JAN 2023 PM 7 L

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2023 JAN -5 AM 9:55

CHIEF CLERKS OFFICE

*TCEQ*

*OFFICE OF THE CHIEF CLERK, MC 105*

*P.O. Box 13087*

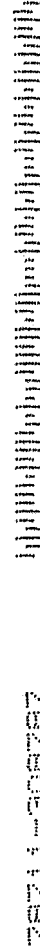
*AUSTIN, TEXAS 78711-3087*

RECEIVED

JAN 05 2023

TCEQ MAIL CENTER

AJ



systems at our own expense. I would recommend that each house in this proposed subdivision be required to do the same and the sewage system proposal be denied.

C. Traffic. The traffic on Shankel Rd has increased dramatically in the past couple of years. The addition of 800 homes and 1500 to 1600 vehicles is nothing short of insanity.


D. Safety. Average Fire, Ambulance, and Police response times are measured in 30 minutes increments. 800 more homes will either increase the response times or increase our taxes to increase staffing.

E. Schools. The schools are at capacity now. Adding 800 homes and conservatively 800-1200 students to the mix will require the school districts to build more schools. While I no longer have school age children, I do pay school taxes.

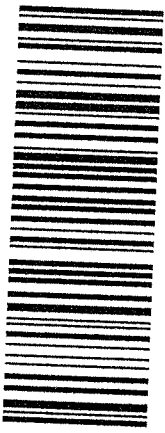
This is a bad idea that should be scrapped immediately

A handwritten signature in cursive script that reads "Glen Copeland".

Glen Copeland  
972 977-0790

  
Glen Copeland  
1128 Novy Rd.  
Emis, TX 75119

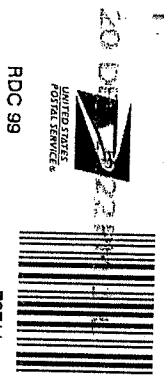
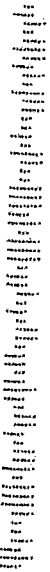
PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS FOR AN ADDITIONAL  
**CERTIFIED MAIL**



7020 2450 0000 7130 1A06

*Office of Civil Clerk  
MC-105, T&E &  
PO Box 13087  
Austin, TX 78711-3087*

78711-3087



U.S. POSTAGE PAID  
FORM LETTER  
EMIS, TX  
DEC 20, 22  
AMOUNT  
**\$7.85**  
R2304M113118-12

COMMISSION ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:25  
CIVIL CLERK OFFICE

298 Glaspy Rd  
Ennis, TX 75119

December 16, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

**REVIEWED**  
**DEC 28 2022**  
By GCH H

TCEQ OCC

27DEC '22 14:59

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 298 Glaspy Rd Ennis TX 75119.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- **Decreased property values**
- **Environmental impact**
- **Infrastructure and volunteer FD**

Respectively submitted,



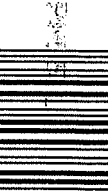
**Robert Crittenden**  
214-392-5890

2107 Bells Chapel Rd  
Waxahachie TX 75165

DELIVERED TO YOU



7022 0410 0000 9492 3821



U.S. POSTAGE PAID  
FCM LETTER  
PALMER, TX  
75152  
DEC 21, 22  
AMOUNT

\$4.60

R2305K142764-10

78711

RDC 99

65:41 Z2 2902Z

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Office of the Chief Clerk 111-105

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

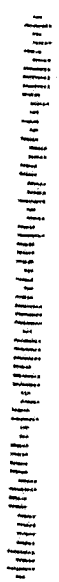
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DEC 27 2022

TECO MAIL CENTER

CJ

78711-308787





304 Eason Road  
Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

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DEC 23 2022  
GCU H

TCEQ OCC

In Re: Petition D-08222022-044, petitioned by Steve Selinger

27DEC '22 15:23

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 304 Eason Road, Ennis TX, 75119.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- The effluent discharge from the sewer treatment plant will contain phosphorus, nitrogen and other potential contaminants. As fishing is not allowed in streams and rivers contaminated with these and other potential pollutants, there is great potential of negative impact to the nearby fishing harvest, directly adversely affecting me.
- The effluent discharge from the sewer treatment plant into the local watershed has great potential to negatively impact fowl, adversely affecting duck hunting on local bodies of water, dove hunting in nearby fields and bird watching.
- The sewer treatment plant has great potential for undesirable odors, filter fly and insect infestations, negatively impacting me and all nearby properties and residents.
- Sludge hauling from the wastewater plant will negatively impact the roads as they are not designed to withstand the weight of the regular required hauls, directly adversely affecting me.
- Potential disruption to the pipeline running through the property is a danger to me and all other nearby residents and property owners.

Respectively submitted,



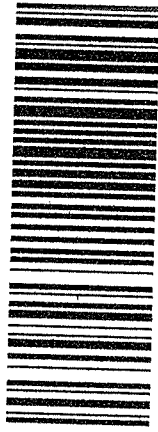
Herman L. Cryer

214-980-2049

*Cygnus*  
*304 Cason Rd*  
*Ames IA 50011*  
*75119*  
27DEC 22 15:23  
52:51 22.03022


000 0301

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AND DOTTED LINE  
**CERTIFIED MAIL**



7022 1670 0001 5390 8919

U.S. POSTAGE PAID  
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ENNIS, TX  
75119  
DEC 21, 22  
AMOUNT  
**\$7.85**  
R2304M113118-12



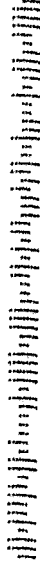
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*Office of the Chief Clerk, MC 105*  
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*Austin TX 78711-3007*

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304 Eason Road  
Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 23 2022  
By GCW H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 304 Eason Road, Ennis TX, 75119.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- The effluent discharge from the sewer treatment plant will contain phosphorus, nitrogen and other potential contaminants. As fishing is not allowed in streams and rivers contaminated with these and other potential pollutants, there is great potential of negative impact to the nearby fishing harvest, directly adversely affecting me.
- The effluent discharge from the sewer treatment plant into the local watershed has great potential to negatively impact fowl, adversely affecting duck hunting on local bodies of water, dove hunting in nearby fields and bird watching.
- The sewer treatment plant has great potential for undesirable odors, filter fly and insect infestations, negatively impacting me and all nearby properties and residents.
- Sludge hauling from the wastewater plant will negatively impact the roads as they are not designed to withstand the weight of the regular required hauls, directly adversely affecting me.
- Potential disruption to the pipeline running through the property is a danger to me and all other nearby residents and property owners.

27DEC 22 10:30  
TCEQ OCC

Respectively submitted,



Nell Cryer

469-358-9120

*Cydon  
304 Cannon Rd  
Cannonville 25119*

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.  
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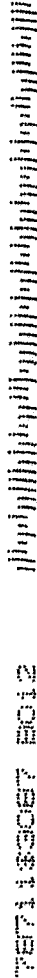
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P.O. Box 13087  
Austin TX 78711-3087*

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27DEC 22 10:29



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304 Eason Road  
Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

DEC 20 2022  
Gee H

TCEQ OCC

27DEC '22 15:08

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk


I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 304 Eason Road, Ennis TX, 75119.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- The effluent discharge from the sewer treatment plant will contain phosphorus, nitrogen and other potential contaminants. As fishing is not allowed in streams and rivers contaminated with these and other potential pollutants, there is great potential of negative impact to the nearby fishing harvest, directly adversely affecting me.
- The effluent discharge from the sewer treatment plant into the local watershed has great potential to negatively impact fowl, adversely affecting duck hunting on local bodies of water, dove hunting in nearby fields and bird watching.
- The sewer treatment plant has great potential for undesirable odors, filter fly and insect infestations, negatively impacting me and all nearby properties and residents.
- Sludge hauling from the wastewater plant will negatively impact the roads as they are not designed to withstand the weight of the regular required hauls, directly adversely affecting me.
- Potential disruption to the pipeline running through the property is a danger to me and all other nearby residents and property owners.

Respectively submitted,

  
Phillip Cryer

469-328-7575

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AMOUNT  
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R2304M113118-12



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Anna, TX 75719*

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27 DEC 22 15:08

*Office of the Chief Clerk, MC105  
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P.O. Box 13087  
Austin TX 78711-3087*

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304 Eason Road  
Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 28 2022  
By Gae H

TCEQ OCC

In Re: Petition D-08222022-044, petitioned by Steve Selinger

27DEC '22 14:55

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 304 Eason Road, Ennis TX, 75119.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- The effluent discharge from the sewer treatment plant will contain phosphorus, nitrogen and other potential contaminants. As fishing is not allowed in streams and rivers contaminated with these and other potential pollutants, there is great potential of negative impact to the nearby fishing harvest, directly adversely affecting me.
- The effluent discharge from the sewer treatment plant into the local watershed has great potential to negatively impact fowl, adversely affecting duck hunting on local bodies of water, dove hunting in nearby fields and bird watching.
- The sewer treatment plant has great potential for undesirable odors, filter fly and insect infestations, negatively impacting me and all nearby properties and residents.
- Sludge hauling from the wastewater plant will negatively impact the roads as they are not designed to withstand the weight of the regular required hauls, directly adversely affecting me.
- Potential disruption to the pipeline running through the property is a danger to me and all other nearby residents and property owners.

Respectively submitted,



Shelby Cryer

972-765-6944

*Super  
304 Casson Rd  
Ennis TX 75119*

7022 1670 0001 5390 8889



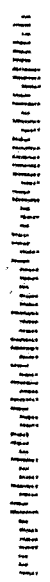
**CERTIFIED MAIL**  
PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD IN DOTTED LINE

27DEC 22 14:55

TCED OCC

*Office of the Chief Clerk  
TCED  
P.O. Box 13289  
Austin TX 78711-3289*

78711-308787



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DEC 21, 22  
AMOUNT  
**\$7.85**  
R2304M113118-12

**RECEIVED**

DEC 27 2022

TCED MAIL CENTER

CJ



Kevin Davis  
601 Novy Rd  
Ennis, Tx. 75119

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED

DEC 23 2022

*[Handwritten signature]*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2022 DEC 23 AM 10:03  
CHIEF CLERK'S OFFICE

Re: Petition D-08222022-044; petitioned by Steve Selinger  
Attn: Laurie Gharis, Chief Clerk

I request denial or a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, (Petitioner) who filed a petition for creation of Shankle Road Municipal Utility (MUD). My property is located at 601 Novy Road, Ennis, TX 75119.

The creation of the Shankle Road Municipal Utility District (MUD) is deeply concerning to me as property owner. The creation of a commercial waste facility directly impacts the value of my property as a direct result of the proximity to my residence. Per the guidelines outlined in The Texas Water Code (Title 4, Chapter 54. Municipal Utility Districts) I also have concerns that the following provisions have not been met:

- Per Sec. 54.015 the estimated costs of the project are unrealistic given an insufficient water plan for the proposed community and the enormity of building a viable run off that does not flood the surrounding home owners.
- Per the guidelines of Sec. 54.021 (b) (2) the reasonableness of projected construction costs cannot be evaluated as access to water for Shankle Road (MUD) has not been determined. The Garret and Rice rural water providers do not have sufficient water resources to provide to an 800 home MUD community. Providing water to a new development compromises the existing communities' access to water.
- Per 54.021 (d) the current roadways of FM 879, FM 660, US Hwy 34 and Shankle road cannot support additional traffic. The State and County have not sufficiently demonstrated the ability to maintain either roadway with the existing amount of traffic.

In closing, Mr. Selinger has hired a firm to protect his interest in this property and skirt by your requirements by doing the bare minimum without any real care or thought to how this will affect our farming community. They do not care if the air quality is compromised, the odors, or the increased flooding that this Municipal Utility District will create.

Sincerely,

*[Handwritten signature of Kevin Davis]*  
Kevin Davis

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 23 AM 10:02

CHIEF CLERKS OFFICE

DAVIS  
601 NORTH R9  
EMARKS TX 75119

Office of the Chief Clerk, MC 105  
TCEQ  
PO Box 13097  
AUSTIN, TX. 78711-3097

## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 21, 2022 1:19 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

H

**From:** finddavis@hotmail.com <finddavis@hotmail.com>  
**Sent:** Wednesday, December 21, 2022 10:49 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Kevin Davis

**EMAIL:** [finddavis@hotmail.com](mailto:finddavis@hotmail.com)

**COMPANY:**

**ADDRESS:** 601 NOVY RD  
ENNIS TX 75119-1485

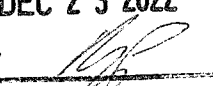
**PHONE:** 2148828884

**FAX:**

**COMMENTS:** Petition D-08222022-044, Petitioned by Steve Selinger I am opposed to petition D08222022044 and would like a denial or contested case hearing. My property is at 601 Novy Rd. Ennis, Tx. 75119. Without restating my neighbors comments regarding all the reasons that this MUD would severely negatively impact our roads, land, schools and EMS Services and the plan that has been submitted would be hazardous and has put no thought or care into the impact that the proposed downstream waste runoff would cause in regards to extreme flooding. We have not seen a viable drainage

plan by the Petitioner and how it will impact our local creeks and drainage on our property. An Extensive Environmental Impact Study has not been submitted by the Petitioner regarding the negative impacts the excessive water generated by this MUD will affect crop contamination, grazing land for cattle and current surface pond water that cattle rely on for survival. We have Barred Owls and Bald Eagles in our area that rely on these water sources among many other animals. Frankly, a firm hired by a man to figure out a plan in which his assets are protected have not taken into account any of ours or how it will ACTUALLY affect our homes and lands. They do not care that what happens in actuality to this area of Ellis County by developing this MUD severely depletes our resources and assets. We beg you to please deny this request.

December 21, 2022  
Office of the Chief Clerk, MC 105  
TCEQ  
PO Box 13087  
Austin, Tx. 78711-3087

**REVIEWED**  
DEC 23 2022  
By 

H

Tiffany Davis  
601 Novy Rd.  
Ennis, Tx. 75119

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 23 AM 10:02  
CHIEF CLERKS OFFICE

In Regard to Petition D-08222022-044, Petitioned by Steve Selinger

Attn: Chief Clerk

I stand in opposition of petition D-08222022-044 and would like a denial or contested case hearing. My property is at 601 Novy Rd, Ennis, Tx. 75119 which will be South and downstream of the proposed Shankle Road Municipal Utility District. The creation of this utility district is very concerning to me, as the plan this individual proposed is not even feasible. With the addition of this many homes, our barely 2 lane roads are not equipped to handle this much traffic. Much of this area is also already in a flood plain and does flood after storms. With the addition of this many homes, the amount of water runoff that will no longer be able to be absorbed by the bare land will be devastating to our area. Retention ponds will not suffice, although none are even mentioned. In addition, the photos that are included with this request showed a skewed view of a "creek" that does not exist. The "creek" or land depression that is shown is not a typical active running creek. This only fills with water during rains and then floods. The addition of the discharge will cause massive odors during times of drought and then flooding during severe weather.

An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of crop contamination downstream. The proposed development is and historically has also been a nesting ground for wildlife such as the Bald Eagle and Barred Owl due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. The Developer has shown that he will remove and destroy this entire habitat. An extensive wildlife impact study should be provided and demanded from the petitioner. Trash, Debris and Clutter is also a major concern. We do not have any city support or infrastructure to be able to safely remove waste. Other major impacts to our community is also the traffic. The development will create congestion on all surrounding roads. 800 homes equal approximately 1600 additional cars every day on roads that are more traveled by tractor and are very narrow.

Thank you for your consideration,

  
Tiffany Davis

DAVIS  
1601 NAVY RD  
EAMIS TX 75119

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 23 AM 10:03

CHIEF CLERKS OFFICE

Office of the Chief Clerk, MC 105  
TCEQ  
PO BOX 8087  
AUSTIN, TX 78711-3087



## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 21, 2022 1:15 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

H

**From:** tiffany75152@yahoo.com <tiffany75152@yahoo.com>  
**Sent:** Wednesday, December 21, 2022 10:27 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Tiffany Davis

**EMAIL:** [tiffany75152@yahoo.com](mailto:tiffany75152@yahoo.com)

**COMPANY:**

**ADDRESS:** 601 NOVY RD  
ENNIS TX 75119-1485

**PHONE:** 9727689580

**FAX:**

**COMMENTS:** Petition D-08222022-044, Petitioned by Steve Selinger I stand in opposition of petition D08222022044 and would like a denial or contested case hearing. My property is at 601 Novy Rd. which will be South and downstream of the proposed Shankle Road Municipal Utility District. The creation of this utility district is very concerning to me, as the plan this individual proposed is not even feasible. With the addition of this many homes, our barely 2 lane roads are not equipped to handle this much traffic. Much of this area is also already in a flood plain and does flood after storms. With



the addition of this many homes, the amount of water runoff that will no longer be able to be absorbed by the bare land will be devastating to our area. Retention ponds will not suffice, although none are even mentioned. In addition, the photos that are included with this request do not show the entire picture. The creek or land depression that is shown is not a typical active running creek. This only fills with water during rains and then floods. The addition of the discharge will cause massive odors as well as flooding.

8359 FM 660  
Ennis, TX 75119

December 21, 2022

**CERTIFIED MAIL RRR – 9414 7266 9904 2126 3213 23**

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TCEQ 000  
28DEC '22 9:58

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

DEC 20 2022  
Gw H

We request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

We are affected persons entitled to a contested case hearing on the issues raised in this hearing request. Our property is located at 8359 FM 660, Ennis, Tx 75119 which is approximately 1.5 miles away.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- We are concerned the smells and odors from sewer treatment plant. Are the plans that the Petitioner adequate for this proposed development and additional developments he may be adding? Has this developer submitted an extensive drainage plan for the entire drainage/flooding inclusive of the entire path through Ellis County?
- We are also concerned about the environmental impact this development plan will have. Has an extensive environmental impact study been submitted by the developer? We have lots of crops that will be contaminated. Our wildlife will be destroyed if this developer brings in this massive development. Our area is and has been a nesting ground for wildlife including deer, duck, geese and waterfowl. What will happen to the wildlife? This will have a negative impact on our crops, cattle, hay, etc.
- We are very concerned about the trash, debris and clutter this will bring. Has the Petitioner addressed the negative impact of excessive waste to surrounding properties and the debris to the landfill?

Respectively submitted,



Ronnie and Rose Dlabaj

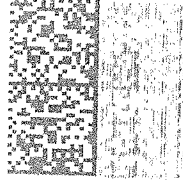
(469) 644-1180

R. Alabaz  
8359 FM 660  
Ennis, TX 75119

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**DEC 28 2022**

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Office of the Chief Clerk MC 105  
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P O Box 13087  
Austin, TX 78711-3087  
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28DEC '22 9:58

881 Shankle Road  
Ennis, Tx 75119  
December 19, 2022

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21DEC '22 10:21

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, Tx 78711-3087

REVIEWED  
DEC 21 2022  
GCW H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 881 Shankle Road, Ennis, Tx 75119 which is approximately one quarter of a mile south of the proposed District.

The Creation of this Utility District uniquely and adversely affects me in the following ways:

I am concerned about the increased water runoff from the number of houses proposed to be built and from the large amount of waste water to be discharge from the sewer plant. I live next to the property where the creek runs through and where this additional water will flow into. I am concerned about the flooding issues and the environmental impact it will have for my family, my pets, the surrounding families and the wildlife in the area. I am concerned about the safety of my kids with the increased traffic, crime, trash and lack of sufficient emergency services that this proposed District will cause due to the increased number of people concentrated into this one area. We have only a voluntary fire department that services our area and I am concerned that there will be insufficient service caused by the proposed District. I believe the burden will then be put on me and my surrounding family and neighbors to pay for the cost of the additional services that will be needed as a result of this proposed District.

Respectfully submitted,

**Jimmy Driskill**

A handwritten signature in black ink, appearing to read 'Jimmy Driskill', written over a printed name.

**214-433-2297**

Jimmy Driskill  
881 Shankle Road  
Ennis, Tx. 75119

7022 1670 0001 5390 8247

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
**CERTIFIED MAIL**



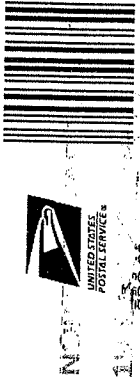
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Office of the Chief Clerk, MC105  
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P.O. Box 13087  
Austin, Tx. 78711-3087



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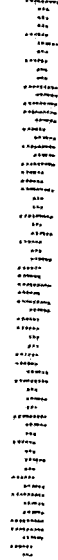
**\$7.85**

R2304M113349-03

TCEQ 000

21DEC '22 10:21

78711-308787



## Ellie Guerra

---

**From:** PUBCOMMENT-OCC  
**Sent:** Friday, December 23, 2022 1:05 PM  
**To:** Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number D08222022044

**From:** jimmyashmusic@gmail.com <jimmyashmusic@gmail.com>  
**Sent:** Friday, December 23, 2022 8:07 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Jimmy Driskill

**EMAIL:** [jimmyashmusic@gmail.com](mailto:jimmyashmusic@gmail.com)

**COMPANY:**

**ADDRESS:** 881 SHANKLE RD  
ENNIS TX 75119-0111

**PHONE:** 2144332297

**FAX:**

**COMMENTS:** I request denial of the creation of Shankle Road HUD. I am also against the waste water treatment plant. I am concerned about the increased amount of water runoff from the number of homes to be built in this MUD and the amount of water that will be discharged from the sewer plant which will cause extensive flooding in my area where I live and the surrounding area. I am concerned about the flooding issues this would cause and the environmental impact it will have on my family, my pets, the surrounding families and the wildlife in the area. I am concerned for the safety of

my kids with the increased traffic, increased crime, increased trash, and lack of adequate emergency services that this MUD will cause. The demand on water would increase so much that the water supply would be insufficient. With the MUD homes so close together I am worried about the fire hazards to our surrounding pastures. I do not feel that I or our neighbors were adequately informed about this MUD. I am concerned about the cost for all these additional services will have to be passed on to me and my family and those living around this area and I do not want this.



881 Shankle Road  
Ennis, Tx 75119  
December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, Tx 78711-3087

REVIEWED

DEC 23 2022

TV 

#

CHIEF CLERKS OFFICE

2022 DEC 22 PM 2:43

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

**In Re: Petition D-08222022-044, petitioned by Steve Selinger**

**Attn: Chief Clerk**

**I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.**

**I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 881 Shankle Road, Ennis, Tx 75119 which is approximately one quarter of a mile south of the proposed District.**

**The Creation of this Utility District uniquely and adversely affects me in the following ways:**

I am concerned about the increased water runoff from the number of houses proposed to be built and from the large amount of waste water to be discharge from the sewer plant. I live next to the property where the creek runs through and where this additional water will flow into. I am concerned about the flooding issues and the environmental impact it will have for my family, my pets, the surrounding families and the wildlife in the area. I am concerned about the safety of my kids with the increased traffic, crime, trash and lack of sufficient emergency services that this proposed District will cause due to the increased number of people concentrated into this one area. We have only a voluntary fire department that services our area and I am concerned that there will be insufficient service caused by the proposed District. I believe the burden will then be put on me and my surrounding family and neighbors to pay for the cost of the additional services that will be needed as a result of this proposed District.

Respectfully submitted,

Stacy Driskill

A handwritten signature in black ink, appearing to read 'Stacy Driskill', written over a horizontal line.

903-804-0222

7022 1670 0001 5390 8292



**CERTIFIED MAIL**  
PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

Stacy Driskill  
881 Shankle Road.  
Cams, Tx. 75114

TEXAS  
COMMISSION  
ON ENVIRONMENTAL

0 proposed by the Chief Clerk, MC 105

TO THE CLERK'S OFFICE

P.O. Box 13087

Austin, Tx. 78711-3087

17 MAR 2002 00:01:51  
NORTH TEXAS TX 750

RDC 99



78711

U.S. POSTAGE PAID  
FORM 3727  
EPA  
TX  
DEC 19, 22  
AMOUNT  
**\$7.85**  
R2304M113349-03

## Ellie Guerra

---

**From:** PUBCOMMENT-OCC  
**Sent:** Friday, December 23, 2022 7:58 AM  
**To:** Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number D08222022044

**From:** machstacy@yahoo.com <machstacy@yahoo.com>  
**Sent:** Friday, December 23, 2022 7:49 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Stacy Driskill

**EMAIL:** [machstacy@yahoo.com](mailto:machstacy@yahoo.com)

**COMPANY:**

**ADDRESS:** 881 SHANKLE RD  
ENNIS TX 75119-0111

**PHONE:** 9038040222

**FAX:**

**COMMENTS:** I request denial of the creation of Shankle Road MUD. I am concerned about the amount and type of homes that will be built on such a small area. The increased amount water runoff from these homes and from the sewer plant will cause extensive flooding in our area and in the creek I live nearby. I am concerned about the flooding issues and the environmental impact it will have on my family, surrounding families and wildlife and pets. I am concerned for the safety of my kids with the increase traffic, crime, trash and lack of sufficient emergency services that this MUD will

cause. It will over burden the schools, fire department and sheriffs department. I am against the increased cost that will have to be handed down to me and all who live around this area.



Matress + Trash Village Creek Bridge-Crisp Rd



Someones daily trash - Village Creek heading to trinity Crisp Rd



Christian Rd



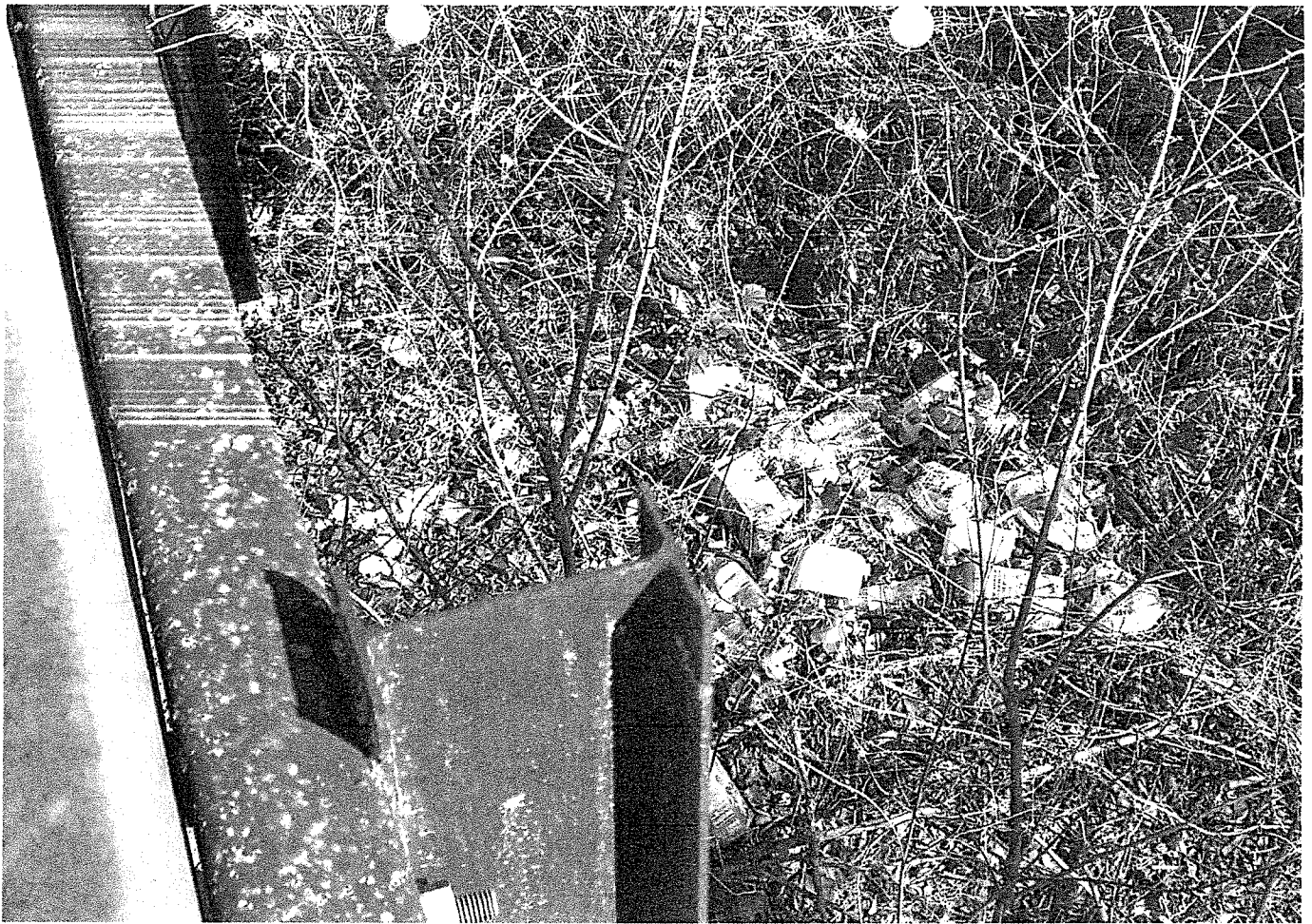
It's Actually worse in Person ↑  
tons of Beer cans & trash!

Christian Rd



Someone's trash thrown in  
my ditch over night

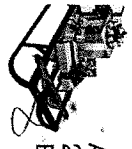




Someones Daily trash!  
These pictures are actually not as  
bad as it is in person.

The creek Stinks!

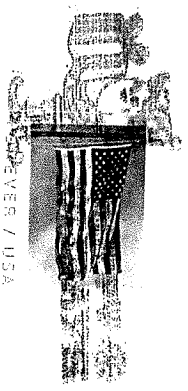
Enviromental Hazard... on the other  
side is paint buckets!



Allis Droste  
2481 Christian Rd.  
Ennis, TX 75119

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

NORTH TEXAS TX P&DC  
DALLAS TX 750  
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POSTMASTER / USA

78711-3087  
TCEQ  
OFFICE OF THE CHIEF CLERK

Office of the Chief Clerk, MC 105

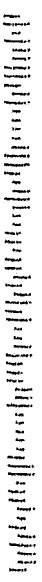
TCEQ

PO BOX 13087

Austin, TX 78711-3087

POSTAGE WILL BE PAID BY ADDRESSEE  
NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

78711-3087



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Tom Droste  
2481 Christian Rd  
Ennis, TX 75119

December 21, 2022

2022 DEC 22 AM 9: 57

CHIEF CLERKS OFFICE

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED

DEC 22 2022

By

*[Signature]* H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 2481 Christian Rd.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

The City and county of Ennis has grown too fast and cannot keep up with the growth. This growth will cause my taxes to increase since we will need to build new roads in the county to compensate for the increase traffic, schools, groceries stores, the need to hire county employees to keep up with all the trash that is currently building up in our county ditches and creeks to keep the environment clean. It is bad now I cannot even imagine 800 more houses with a sewer treatment plant adding onto the problem and what this area is going to look like in 5 years.

I have currently moved to Ellis county from Rockwall county and the amount of trash in our ditches is night and day. The people moving here does not have pride of ownership. Cheaper housing (MUD communities) draws people to the area thus the Ellis county environmental issues are compounding!

Respectively submitted,

Tom Droste 972-965-5308

2481 Christian Rd  
Ennis, TX 75119  
TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 22 AM 9:57

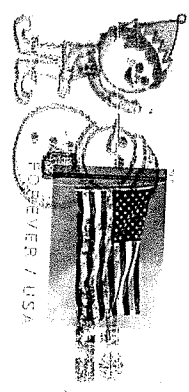
CHIEF CLERKS OFFICE

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DEC 22 2022

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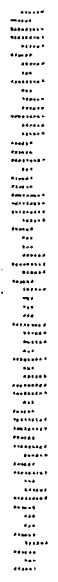
Office of the Chief Clerk, MC 105

TCEQ

PO BOX 13087

Austin, TX 78711-3087

78711-3087



Danny Dvorak  
573 Shankle Road  
Emmis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 573 Shankle Road, Emmis, TX 75119.

The creation of this Utility District uniquely and adversely affects me in the following way(s): My property is divided by Four Mile Creek. The MUD will put water in the creek. The creek is dry the majority of the time. Continuous water flow through the creek would make part of my property inaccessible. I am a rancher and could have cattle trapped on either side of the creek if there is water flow through it. The land around the creek erodes and an increase in water flow would damage the land. Putting any amount of water on my property from a MUD would hurt my property value and damage the farmland which is my livelihood.

Respectively submitted,

*Danny Dvorak*  
Danny Dvorak

972-821-8946

REVIEWED

DEC 23 2022

BY                     

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
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2022 DEC 22 PM 2:37  
CHIEF CLERKS OFFICE

H

D. Dvorak

573

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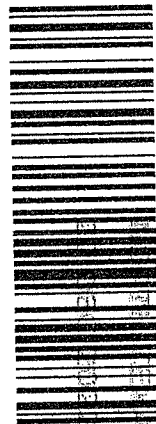
ENVIRONMENTAL QUALITY

COMMISSION ON ENVIRONMENTAL QUALITY

78777 DEC 22 PM 2:57

CLERK OFFICE

CERTIFIED MAIL



TX 750

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Office of the Chief Clerk, MC-105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

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U.S. POSTAGE PAID  
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R2304M113349-03

Dorothy Dvorak  
8411 FM660  
Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:32  
CHIEF CLERKS OFFICE

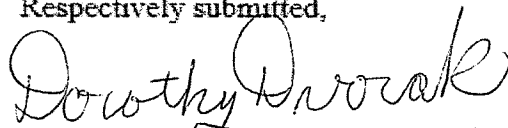
I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. I am the representative for the Crisp Cemetery located at 337 Shankle Road, Ennis, TX 75119.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

Four Mile Creek flows adjacent to the cemetery and the property line is the creek. There are many graves close to the creek. Any increase in waterflow would increase the erosion and possibly expose graves and human remains, some of whom are United States veterans.

Respectively submitted,



Dorothy Dvorak

972-821-8979

REVIEWED

DEC 23 2022

By: 

H

FROM: Dorothy Dvorak

8411 FM 660

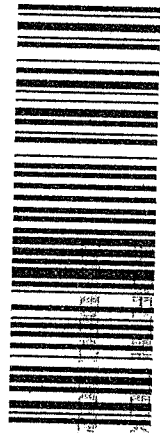
Emis, TX 78119

ON ENVIRONMENTAL  
QUALITY

2022 DEC 22 PM 2:20

CHIEF CLERK'S OFFICE

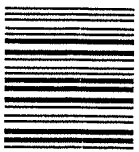
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RDC 99



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FORM LETTER  
ENNS, TX  
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DEC 20, 22  
AMOUNT

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R2304M113349-03

Office of the Chief Clerk, MC-105  
TCED  
P.O. Box 13087  
Austin, TX 78711-308

78711-308797





## Christina Bourque

---

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, January 10, 2023 9:53 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044

H

**From:** sagtex98@gmail.com <sagtex98@gmail.com>  
**Sent:** Tuesday, January 10, 2023 9:50 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** MR Stuart Goedrich

**EMAIL:** [sagtex98@gmail.com](mailto:sagtex98@gmail.com)

**COMPANY:**

**ADDRESS:** 1491 EASON RD  
ENNIS TX 75119-2063

**PHONE:** 9722680328

**FAX:**

**COMMENTS:** Attn: Chief Clerk, I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County. I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 1491 Eason Road, Ennis, TX 75119. I request denial of the creation of Shankle Road MUD. This MUD will have severe impacts on the local ecology, wildlife, roads, municipalities, and schools. The downstream effects of this development need to be carefully studied,

and a storm water mitigation plan needs to be developed. This development has the potential to contaminate vital farmland and local wildlife habitat. Volunteer Emergency Services are not equipped to handle the additional number of new structures and occupants that are being proposed in this high density subdivision. Emergency preparedness and infrastructure should be properly studied prior to allowing this development. Our county roads are not equipped to handle the increased volume of traffic that will be travelling on them daily to and from this proposed development. In closing, I this project would have life changing negative effects on persons, emergency services, schools, municipalities, animals, and wildlife. This petition should be denied. Respectively submitted, Stuart Goedrich 972-268-0328

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Office of the Chief Clerk, MC 105

TCEQ

P.O. Box 13087

Austin, TX 78711-3087

2022 DEC 22 AM 9: 58

CHIEF CLERKS OFFICE  
REVIEWED

DEC 22 2022

By 

H

Re: Petition D-08222022-044; petitioned by Steve Selinger

Attn: Laurie Gharis, Chief Clerk

I request denial or a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, (Petitioner) whom filed a petition for creation of Shankle Road Municipal Utility (MUD). My property is located at 7268 FM 879 Palmer TX, 75152.

The creation of the Shankle Road Municipal Utility District (MUD) is deeply concerning to me as property owner and with many in my community. The creation of a commercial waste facility directly impacts the value of my property as a direct result of the proximity to my residence. Per the guidelines outlined in The Texas Water Code (Title 4, Chapter 54. Municipal Utility Districts) I also have concerns that the following provisions have been met:

- Per Sec. 54.015 the estimated costs of the project are unrealistic given an insufficient water plan for the proposed community
- Per the guidelines of Sec. 54.021 (b) (2) the reasonableness of projected construction costs cannot be evaluated as access to water for Shankle Road (MUD) has not been determined. The rural water providers do not have sufficient water resources to provide to an 800 home MUD community. Providing water to a new development compromises the existing communities' access to water
- Per 54.021 (d) the current roadways of FM 660, FM 879 and Shankle road cannot support additional traffic.

The State and County have not sufficiently demonstrated the ability to maintain either roadway with the existing amount of traffic.

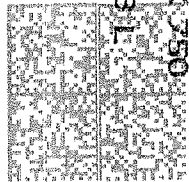
Kodie Graff  
100 Old Gin Rd  
Ennis Tx 75119

Kodie Girnes  
800 Old Gals Rd  
Eldris Tx 75119

OFFICE OF THE CLERK  
TUEQ  
AUSTIN TX  
CLENK, MC 105

78711-3037

NORTH TEXAS TX 750  
20 DEC 2022 PM 3:11



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12/20/2022 ZIP 75006  
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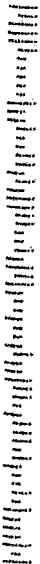
US POSTAGE  
TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
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CHIEF CLERKS OFFICE  
2022 DEC 22 AM 9:57

RECEIVED

DEC 22 2022

TOEQ MAIL CENTER  
AJ

78711-3037



## Christina Bourque

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, January 9, 2023 2:35 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044

**From:** Kodiespence11@yahoo.com <Kodiespence11@yahoo.com>  
**Sent:** Monday, January 9, 2023 11:03 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** MRS Kodie Graff

**EMAIL:** [Kodiespence11@yahoo.com](mailto:Kodiespence11@yahoo.com)

**COMPANY:**

**ADDRESS:** 800 OLD GIN RD  
ENNIS TX 75119-0198

**PHONE:** 2149809372

**FAX:**

**COMMENTS:** Good morning, as a life long resident of bristol texas the projected homes planed to be built on this land would reak havoc. The county roads are not maintained as is, let alone adding 2,000 more vehicles. Palmer isd is not equipped to take on more students, they already have a staffing problem as well as the school are maxed out. The surrounding county roads fm 660,878 and 879 would have to be completely redone to keep up with this much traffic.

3008 Crisp Rd  
Ennis, TX 75119

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED

DEC 20 2022

H

Gov

TCEQ 000  
28DEC '22 10:13

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 3008 Crisp Rd, Ennis, TX 75119

The creation of this Utility District uniquely and adversely affects me in the following way(s):

1. Our police and fire do not have the capability to take care of an additional 800 or more homes/people.
2. The roads in our area are already in terrible condition, so adding 1600 cars per day will make our roadways unsafe.
3. Our schools are at max capacity as of now.
4. Crime rate has a high potential to increase if that many additional people are added to the area.

My biggest concern is the safety of our family and current neighbors. We do not feel safe knowing that there is still a chance for this build to be approved because it will take away from our current resources and make our community suffer.

Respectively submitted,

Trenton Green,  
469-552-3348

Wenton Green  
8008 Crisp Rd.  
Emmils, TX 75119

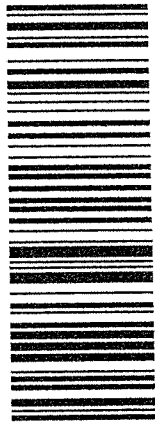
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DEC 23 2022

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21:01 ZC 33087

TCER DDC



7022 0410 0000 9492 3753

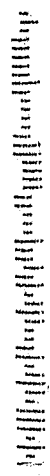
Office of the Chief Clerk, Mc105

TCER

P.O. Box 13087

Austin, TX 78711-3087

787113087 8012



RDC 99



78711

U.S. POSTAGE PAID  
FCM LETTER  
PALMER, TX  
75152  
DEC 20, 22  
AMOUNT

\$4.60

R2305K142764-10

Bill Greenlee  
Greenlee Acres Bed and Breakfast  
1008 Shankle Rd  
Ennis, TX 75119  
December 22, 2022

REVIEWED

JAN 03 2023

By GCW

H

Office of the Chief Clerk, MC 105

TCEQ

P.O. Box 13087

Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

TCEQ 000

Bill Greenlee  
1008 Shankle Rd  
Ennis, TX 75119  
December 22, 2022

3 JAN '23 10:51

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

My property is located at 1008 Shankle Rd Ennis, TX 75119

The creation of this Utility District uniquely and adversely affects me in the following ways:

Our land has been in our family for 60 years. This land is not only our home but home to thousands of wildlife creatures. We have many wild ducks that fly in that we feed and care for every year. With this development that will all be destroyed. **Our home is a peaceful retreat for our visitors. We offer a relaxing environment to the people who choose to stay in our cabin(Greenlee Acres) This is our small business that we offer to the public. With this development that will also all be destroyed.** This land also will only have one way in and one way out. How is this even safe? Our tiny country road and hardly handle what we have living down this road now. I can't imagine what it will be like for this only road to see 1600 more vehicles per day.

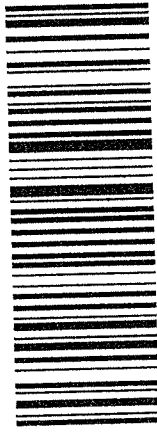
This development is not a need for our rural area, Estimates are that there are thousands of homes for sale in the area. Who benefits from this senseless destruction of land and trees to build new homes that are not needed?

Sincerely,  
Bill Greenlee



From: Bill Greerlee  
1008 Sherrill Rd  
Finnis, TX 75119

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, SOLD AT DOTTED LINE  
**CERTIFIED MAIL**



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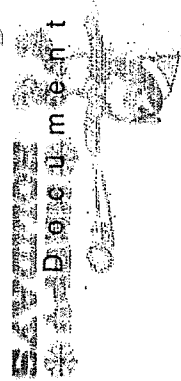
TC50 MAIL CENTER  
CJ

JAN 23 10:52

TC50 0001

To: TCEQ  
P.O. Box ~~78711-3087~~ 13087  
Austin, TX 78711-3087  
MC-105

**Ready Post**



MAIL CENTER  
22 DEC 2022 04:41 AM  
DALLAS TX 75201

NORTH TEXAS TX PSDC

REVIEWED

DEC 20 2022

GCW

Chad Greenlee  
1044 Shankle Rd  
Ennis, TX 75119  
December 22, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087  
In Re: Petition D-08222022-044, petitioned by Steve Selinger  
Attn: Chief Clerk

TCEQ OCC

28DEC '22 10:16

Chad Greenlee  
1044 Shankle Rd  
Ennis, TX 75119  
December 22, 2022

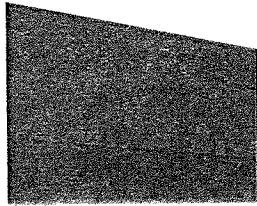
I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

My property is located at 1044 Shankle Rd Ennis, TX 75119

The creation of this Utility District uniquely and adversely affects me in the following ways:

Sincerely,  
Chad Greenlee

From: Chad Greenlee  
1044 Shankline Rd  
Ennis, TX 75119



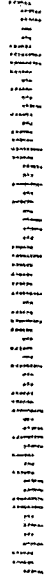
28DEC '22 10:16  
TCEQ 000

105

Ready **Post**

Document Mailer

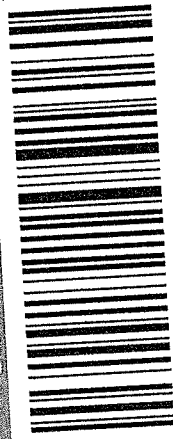
787183067 8012



7022 2410 0001 8382 0264

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD ALONG DOTTED LINE.

**CERTIFIED MAIL**



7022 2410 0001 8382 0264

RDC 99

78711

U.S. MAIL

R

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

REVIEWED

DEC 28 2022

GW

H

Ronnie Greenlee  
1040 Shankle Rd  
Ennis, TX 75119  
December 22, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087  
In Re: Petition D-08222022-044, petitioned by Steve Selinger  
Attn: Chief Clerk

TCEQ DEC

28DEC '22 10:19

Ronnie Greenlee  
1040 Shankle Rd  
Ennis, TX 75119  
December 22, 2022

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

My property is located at 1040 Shankle Rd Ennis, TX 75119

The creation of this Utility District uniquely and adversely affects me in the following ways:

Sincerely,  
Ronnie Greenlee

PLACE STICKER AT TOP OF ENVELOPE (ON THE RIGHT)  
IF THESE RETURN ADDRESSES ARE UNACCEPTED MAIL, RETURN TO THE POST OFFICE  
**CERTIFIED MAIL**

FROM: Tommy Corrente  
1090 Shankle Rd  
Ennis, TX 75118



78711



7022 2410 0001 8382 0257

RDC 99

U.S. POSTAGE PAID  
FCM LETTER  
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75013  
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AMOUNT  
**\$4.60**  
R2304NH17516-29

105

TO: TCFO  
P.O. Box 13087  
Austin, TX 78711-3087

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**Ready Post**

Document Mailer

200 Congress Ave 51PH  
Austin, TX 78101

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:28  
CHIEF CLERKS OFFICE

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 7990 FM 660.

The creation of this Utility District uniquely and adversely affects me in the following ways: One of my main concerns is the water runoff, how it will impact the neighboring land owners, farm animals & the wildlife. Also, am having additional concerns about how it will affect the schools, traffic, and etc.

Respectively submitted,

Amy & Bill Gurley

*A Gurley*  
*Bill Gurley*

512-738-5661

REVIEWED

DEC 23 2022

By *HP*

H

Amy Gurley  
200 Congress Ave 51PH  
Austin, TX 78701

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

NC

20



RDC 99



78711

U.S. POSTAGE PAID  
FORM LETTER  
ENNS, TX  
75119  
DEC 20, 22  
AMOUNT  
**\$7.85**  
R2304M113118-12

CHIEF CLERKS OFFICE

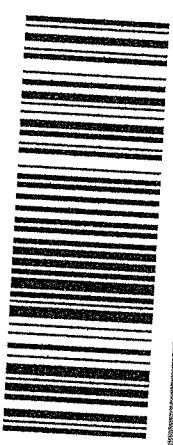
Office of the Chief Clerk, MC 105

TEEO

P O Box 13087

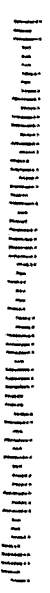
Austin, TX 78711-3087

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. HOLD AT DOTTED LINE.  
**CERTIFIED MAIL**



7022 1670 0001 5390 830A

78711-3087



**Ellie Guerra**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, December 29, 2022 1:38 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

H

**From:** shellie.heard@att.net <shellie.heard@att.net>  
**Sent:** Thursday, December 29, 2022 12:22 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Shellie Heard

**EMAIL:** [shellie.heard@att.net](mailto:shellie.heard@att.net)

**COMPANY:**

**ADDRESS:** PO BOX 549  
ENNIS TX 75120-0549

**PHONE:** 9723513727

**FAX:**

**COMMENTS:** I am very concerned citizen and resident of the area and I REQUEST a hearing because this specific kind of land development is unreasonable and mismatched to quality of living and lifestyle for the rural area. My questions are how will the plant be maintained and by who to ensure TCEQ water discharge standards are maintained? Does the developer/mud have employees? How many? If there are employees do they have experience? Who will test the water being discharged and on what frequency? What about sewage spills? Who will report them according to TCEQ



mandates? The impact of a high density housing development to the surrounding rural population is an unplanned burden to ALL Ellis County services and Palmer ISD. I REQUEST DENIAL OF THE CREATION of Shankle Road MUD.

305 Eason Road  
Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED

DEC 23 2022 H  
BY SCU

TCEQ OCC  
27 DEC '22 10:22

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

We request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

We are affected persons entitled to a contested case hearing on the issues raised in this hearing request. Our property is located at **305 Eason Road**, which is within 2 miles of the proposed Municipal Utility District.

The creation of this Utility District uniquely and adversely affects us in the following ways:

**Odors from the proposed sewer treatment plant:** the submitted plans are inadequate for the proposed development and additional developments the developer may add to the District. An extensive Environmental Impact Study should be completed as to effects of the effluent discharge to surrounding areas and crop contamination downstream.

**Water runoff and flooding concerns for all Ellis County residents:** An extensive drainage plan should be demanded for the entire drainage/flooding inclusive of the entire path through Ellis County.

**Inadequate water supply:** The East Garrett Water Supply Corporation does not have an adequate water supply to supply the proposed development, which impacts the current residents supplied by East Garrett Water Supply Corp. There are already intermittent issues with decreased water pressure and interruptions in service with the current customer base. An Extensive Regional Impact Study and hydraulic analysis regarding adequate water volume and flow throughout the region should be demanded from the Petitioner. Drilling wells to supply the development should not be an option, considering the impact to natural springs throughout the area.

**Impact to wildlife habitat:** Removal of trees and natural vegetation will negatively impact both native wildlife and migratory bird populations and force the relocation of predatory animals with potential for endangerment of livestock and pets. An extensive Wildlife Impact Study should be demanded from the petitioner.

**Impact on traffic:** Farm Road 879 east of Interstate 45 is a two lane road with many curves and hills with minimal shoulder area on the periphery, that is already experiencing increased traffic. The proposed development with the addition of so many homes, thereby increasing amount of vehicle traffic would certainly impact the safety of commuting along this route as well as Shankle Road.

**Strain on Emergency Services for the unincorporated areas of Ellis County:** The addition of a development of this size in Eastern Ellis County will certainly impact the ability for prompt response of first responders of our Ellis County Sheriff Department, EMS responders and rural fire departments. This should be a concern to all residents of Ellis County.

Respectively submitted,

A handwritten signature in black ink, appearing to read "Michael Hickman", with a long horizontal flourish extending to the right.

Michael Hickman

972-935-8188

A handwritten signature in black ink, appearing to read "Kari Hickman", with a long horizontal flourish extending to the right.

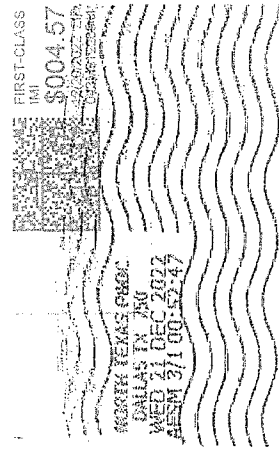
Kari Hickman

214-236-8942

305 Eason Rd.  
Ennis, TX 75119



7005 3430 0000 3740 8019



Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

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27DEC 22 19

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DEC 27 2022  
TCEQ MAIL CENTER  
AJ

Kenneth Holland  
2461 Christian Rd  
Ennis, TX 75119

TCEQ 0000  
21DEC '22 10:23

December 18, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 21 2022  
Gaw H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 2481 Christian Rd.

The creation of this Utility District will adversely affect me in the following ways:

My wife and I have lived in Ennis all our lives. We have wanted to move to the country, which we finally did in 2019. It is disappointing to know that there is a possibility a MUD community will be near our property. Since we have moved to our dream country home there has been a large community of homes built which has resulted in higher traffic on our county road. There has also been an increase in trash and old furniture being thrown into the ditches.

Ellis county is growing too fast and the county and city need to be able to keep up with items such as schools and road maintenance. This MUD division will increase the traffic on the county roads and after 3 years the home owners in the MUD division will be responsible for the maintenance of their roads and sewer system this could cause an adverse financial impact on the residents. This could lead to foreclosures and this is not what any community wants. This could lead to higher crime. This type of community is not what we want in our area. I feel we are losing our precious land to investors that have no ties to our community and who do not care about the damage that such communities could bring to the area.

Respectively submitted,



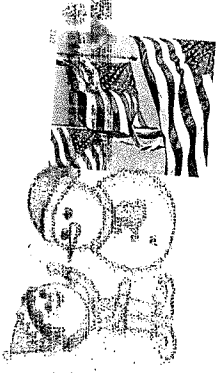
Kenneth Holland 469-337-8387

Kenneth Holland  
2461 Christian Road  
Ennis, Tx 75119

21DEC '22 10:23

TCED ODC

NORTH TEXAS TX PSDC  
DALLAS TX 75201  
19 DEC 2022 PMS 1



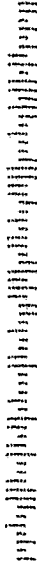
Office of the Chief Clerk, me 105

TCED

PO Box 13087

Austin, TX 78711-3087

78711-308787



Rita Holland  
2461 Christian Rd  
Ennis, TX 75119

December 18, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TCEQ DDC  
21DEC '22 10:52

REVIEWE

DEC 21 2022

Gu H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

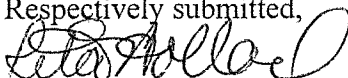
I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 2461 Christian Rd.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

My husband and I have lived in Ennis, Texas all our lives – recently moving to the country. I have supported the community throughout the years – raised 3 children in the school system in Ennis, have supported the Czech culture by volunteering my time with the SPJST and the National Polka Festival. I have worked really hard to pass on the Czech traditions to my kids and grandkids and I want them to be able to enjoy coming to visit Ennis. I have been very proud to say that I live in Ennis, Texas.

My life long dream had been to move out into the country and that dream came true in 2019. We live on the land that I was raised on and I live near my 85 year-old mother so that I can help take care of her. It is extremely disappointing to know that there is a great possibility a MUD community will be near our property. This is concerning to due the fact that this will create an issue – higher traffic, higher crime and trash thrown in ditches that flow into the creeks and pollute the nearby rivers. Ellis County is growing too fast and now this MUD community will not help matters.

I am 65 years old and had high hopes and dreams for my children and grandchildren to move out here one day, but I'm saddened to think that they may not want to be near me with this MUD community in our backyard. We are losing our precious land to inconsiderate investors that have no ties to this community.

Respectively submitted,  


Rita Holland 469-337-2284

2461 Christian Road  
Census, TX 75119  
Kara Holland

TCEQ OCC  
21 DEC 22 10:57

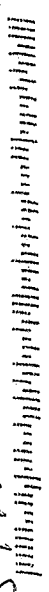
NORTH TEXAS TX P&DC  
DALLAS TX 750  
19 DEC 2022 PM 10 L



Office of the Chief Clerk, MC105  
TCEQ  
PO Box 13087  
Austin TX 78711-3087

12 24 2022

10:57 AM





## Ellie Guerra

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**From:** PUBCOMMENT-OCC  
**Sent:** Friday, December 23, 2022 7:59 AM  
**To:** Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number D-08222022-044

**From:** ritajholland@yahoo.com <ritajholland@yahoo.com>  
**Sent:** Thursday, December 22, 2022 8:28 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Rita Holland

**EMAIL:** [ritajholland@yahoo.com](mailto:ritajholland@yahoo.com)

**COMPANY:**

**ADDRESS:** 2461 CHRISTIAN RD  
ENNIS TX 75119-0014

**PHONE:** 4693372284

**FAX:**

**COMMENTS:** I request denial of the creation of Shankle Road MUD for many reasons. My family has lived in Ellis County for over 100 years and have taken pride in the community through the years. Of Czech descent we have worked hard to establish deep roots here - our ancestors working and living off the land. Their dream was to see that their descendents have a good life and remember where they came from. I'm concerned that this Shankle Road MUD will change the face of Ellis County and all the hard work that our ancestors did to preserve our heritage will be lost. My grandparents

worked the land that butts up to the Shankle Road MUD. This project does not care about those who came before us. This project only cares about making a quick buck without consideration of how this project can destroy the land that our ancestors worked so hard on. Has anyone thought about the a waste water treatment plant? How can we be guaranteed there will be no odor or waste running into our creeks? My family land butts up to a creek - Indians lived here over 200 years ago (Village Creek). We still find arrowheads in the creek and on our land. What's going to happen to our wildlife? We have cameras in the creek and see deer and other wild animals on film. We have livestock that roam that area. Who's going to monitor the overcrowding of our roads and the possible increase in crime that this type project attracts? What about the burden on our schools? Where is this project going to get it's drinking water? Ellis County is growing to quick too fast and it appears no one is thinking about the negative impact it will make. Our roads are already over crowded. Trash is thrown out on county roads - it's a crying shame that we are allowing this to happen. Ellis County residents does not need more to worry about - I do not want The Shankle MUD in our community!!!!

LARRY HONZA  
920 PECAN GROVE RD.  
ENNIS, TEXAS 75119  
ELLIS COUNTY, TEXAS  
817-822-3105 CELL PHONE  
972-875-7021 HOME PHONE

REVIEWED

DEC 28 2022

By GWH H

TCEQ 000

Reference: Petition D-08222022-044  
PETITIONED BY STEVE SELINGER

27DEC '22 14:53

I, LARRY HONZA (PROPERTY OWNER) AT 920 PECAN GROVE ROAD, ENNIS, ELLIS COUNTY, TEXAS REQUEST A CONTESTED CASE HEARING ON THE ABOVE REFERENCED PETITION NUMBER D-08222022-044, PETITIONED BY STEVE SELINGER

THIS PROPOSED PROJECT WOULD ADVERSELY AFFECT MY PROPERTY DUE TO THE AMOUNT OF WATER THAT WOULD BE DISCHARGED INTO VILLAGE CREEK WHICH BORDERS / IS MY SOUTHWEST PROPERTY OF MY 75 ACRE TRACT OF LAND LOCATED AT THE SOUTHEAST CORNER OF PECAN GROVE RD AND WALKER CREEK RD. DURING HEAVY RAIN PERIODS BOTH PECAN GROVE RD AND WALKER CREEK RD FLOOD TO THE POINT OF BEING IMPASSABLE AND ARE CLOSED TO TRAFFIC. THESE ROADS ARE ALSO BUS ROUTES FOR THE ENNIS PUBLIC SCHOOL DISTRICT AND ROUTES FOR EMERGENCY PERSONNEL. THIS ADDITIONAL WATER WOULD MOST CERTAINLY INCREASED THE MAGNITUDE AND DURATION OF THIS FLOODING. I HAVE ATTACHED PICTURES FOR REFERENCE TO SHOW FLOODING AND LOCATION.

Larry Honza - OWNER  
12-17-22

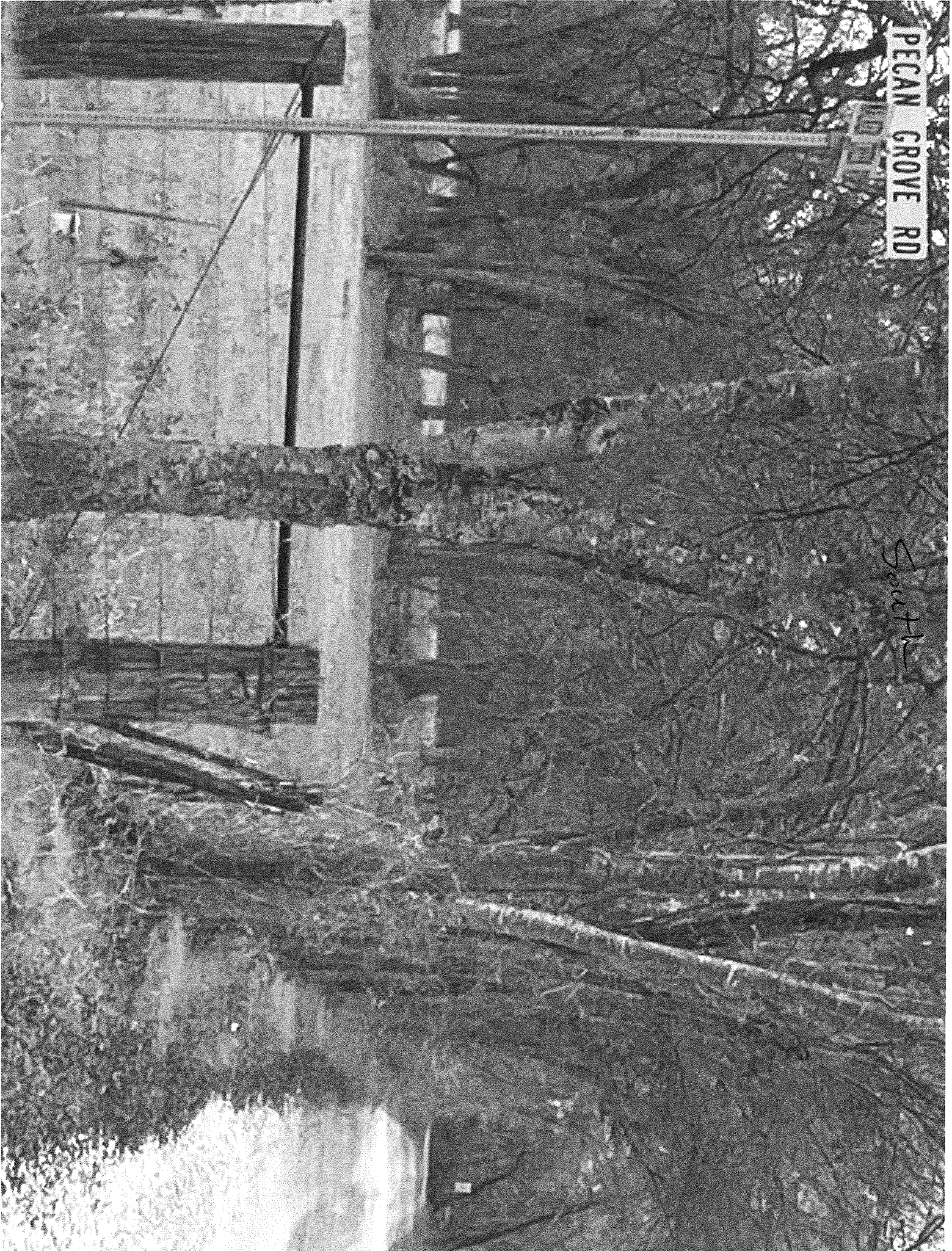


EAST



PECAN GROVE RD

South



South


WEIGHT  
LIMITS  
GROSS  
52000LBS  
TANDEM  
AXLE  
24000LBS



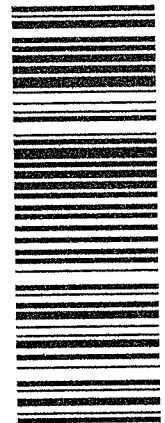


EAST



  
Larry A. Honza  
920 Pecan Grove Rd.  
Ennis, TX 75119

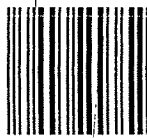
**CERTIFIED MAIL**



7022 1670 0001 5390 7394



RDC 99



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DEC 27 2022

POSTAL CENTER

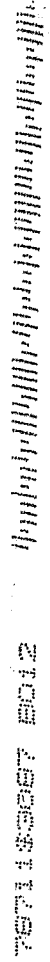
OFFICE OF THE CHIEF CLERK  
MC-105  
TCEP  
P.O. Box 13087  
Austin, Texas 78711-308

DEC 22 14:53  
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U.S. POSTAGE PAID  
FCM LETTER  
ENNIS, TX  
75119  
DEC 19, 22  
AMOUNT

**\$8.09**

R2304M113349-03



**Ellie Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 28, 2022 1:42 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044

**From:** lhonza75119@yahoo.com <lhonza75119@yahoo.com>  
**Sent:** Wednesday, December 28, 2022 10:57 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME SHANKLE ROAD MUD OF ELLIS COUNTY**

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Larry A Honza

**EMAIL:** [lhonza75119@yahoo.com](mailto:lhonza75119@yahoo.com)

**COMPANY:**

**ADDRESS:** 920 PECAN GROVE RD  
ENNIS TX 75119-8997

**PHONE:** 8178223105

**FAX:**

**COMMENTS:** I request denial of the creation of the Shankle Road Mud in Ellis County, Texas. My property is located downstream of Village Creek at the Southeast intersection of Pecan Grove Road and Walker Creek Road. The additional water that would be discharged from this proposed MUD would most certainly create additional flooding during rainy periods both in duration and magnitude. The property is used for hay and grazing for cattle on this property and would affect production and quality due to this additional flooding. Stop this development !

## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 21, 2022 2:00 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044

H

**From:** Clayton@blacklandhomeinspections.com <Clayton@blacklandhomeinspections.com>  
**Sent:** Wednesday, December 21, 2022 1:59 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Clayton Houston

**EMAIL:** [Clayton@blacklandhomeinspections.com](mailto:Clayton@blacklandhomeinspections.com)

**COMPANY:**

**ADDRESS:** 7212 FM 879  
PALMER TX 75152-9110

**PHONE:** 9729211523

**FAX:**

**COMMENTS:** Attn: Chief Clerk I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County. I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 7212 FM 879, Palmer, TX 75152. I request denial of the creation of Shankle Road MUD. The creation of this Utility District uniquely and adversely affects me in the following ways: Drainage/Water runoff will affect the surrounding properties especially to the South

and East of the development. Flooding/drainage is a concern to all landowners downstream from Shankle Road to Novy Road to 4-mile creek to Village Cr to Telico and on to the Trinity River. Smells/Odors from the sewer treatment plant: The proposed sewer treatment plant will present on my property and will adversely affect my family, my property value and therefore my family's quality of life and health and financial well being. An Extensive Environmental Impact Study is demanded regarding the effects of the excessive water generated by the development and the effects of crop and livestock contamination. Wildlife Impact: The proposed development is and historically has been a nesting ground for the wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for the migratory and local bird populations. This habitat provides protection for the wildlife from heat, drought, and heavy rain. An Extensive Wildlife Impact Study should be provided and is demanded from the Petitioner. This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock. Trash/Debris/Clutter: Developing property with such high density of housing creates excessive amounts of trash, debris and clutter throughout the surrounding properties. The petitioner has not address the negative impact of the excessive waste to the surrounding properties and debris to the landfill. Traffic: The development will create congestion on all surrounding roads 800 homes equals approximately 1600 additional cars every day on our roads. Many of the roads are part of the Ellis County road system and are very narrow 2 lane roads with wooden bridges that may not sustain the additional traffic. This will cause an increased financial burden on the Ellis County residents to maintain and/or rebuild the road system. Schools: The additional households will create an estimated 1040 students (2 elementary schools) for Palmer ISD. This creates a huge financial burden on the property owners of Palmer ISD. Emergency Services: The Garrett and Bristol volunteer fire departments will not be equipped to handle the additional services, manpower and equipment needed for adequate fire protection for the additional developments. Even if the Petitioner donates land for a new fire station (which he has not) additional equipment and manpower will be needed. This cost will be passed on to the current residents in the towns and Emergency Services Districts. Safety/Crime: The additional low cost housing developments create additional threats of theft, vandalism, and additional crimes that will create additional burdens to the Ellis County Sherriff's Dept. This is a major concern for all residents of Ellis County. Respectively submitted, Clayton Houston 972-972-1523

## Vander Gold

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 21, 2022 2:04 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044

H

**From:** Julie@blacklandhomeinspections.com <Julie@blacklandhomeinspections.com>  
**Sent:** Wednesday, December 21, 2022 2:02 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Julie Houston

**EMAIL:** [Julie@blacklandhomeinspections.com](mailto:Julie@blacklandhomeinspections.com)

**COMPANY:**

**ADDRESS:** 7212 FM 879  
PALMER TX 75152-9110

**PHONE:** 9729219967

**FAX:**

**COMMENTS:** Attn: Chief Clerk I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County. I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 7212 FM 879, Palmer, TX 75152. I request denial of the creation of Shankle Road MUD. The creation of this Utility District uniquely and adversely affects me in the following ways: Drainage/Water runoff will affect the surrounding properties especially to the South

and East of the development. Flooding/drainage is a concern to all landowners downstream from Shankle Road to Novy Road to 4-mile creek to Village Cr to Telico and on to the Trinity River. Smells/Odors from the sewer treatment plant: The proposed sewer treatment plant will present on my property and will adversely affect my family, my property value and therefore my family's quality of life and health and financial well being. An Extensive Environmental Impact Study is demanded regarding the effects of the excessive water generated by the development and the effects of crop and livestock contamination. Wildlife Impact: The proposed development is and historically has been a nesting ground for the wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for the migratory and local bird populations. This habitat provides protection for the wildlife from heat, drought, and heavy rain. An Extensive Wildlife Impact Study should be provided and is demanded from the Petitioner. This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock. Trash/Debris/Clutter: Developing property with such high density of housing creates excessive amounts of trash, debris and clutter throughout the surrounding properties. The petitioner has not address the negative impact of the excessive waste to the surrounding properties and debris to the landfill. Traffic: The development will create congestion on all surrounding roads 800 homes equals approximately 1600 additional cars every day on our roads. Many of the roads are part of the Ellis County road system and are very narrow 2 lane roads with wooden bridges that may not sustain the additional traffic. This will cause an increased financial burden on the Ellis County residents to maintain and/or rebuild the road system. Schools: The additional households will create an estimated 1040 students (2 elementary schools) for Palmer ISD. This creates a huge financial burden on the property owners of Palmer ISD. Emergency Services: The Garrett and Bristol volunteer fire departments will not be equipped to handle the additional services, manpower and equipment needed for adequate fire protection for the additional developments. Even if the Petitioner donates land for a new fire station (which he has not) additional equipment and manpower will be needed. This cost will be passed on to the current residents in the towns and Emergency Services Districts. Safety/Crime: The additional low cost housing developments create additional threats of theft, vandalism, and additional crimes that will create additional burdens to the Ellis County Sherriff's Dept. This is a major concern for all residents of Ellis County. Respectively submitted, Julie Houston 972-921-9967

Shelly Hubacek  
6557 FM 879  
Ennis, TX 75119

December 19, 2022

Mailed via Certified Letter

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk:

This letter is being sent to request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County, in Texas.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 6557 FM 879, Ennis Texas 75119.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- Odor concerns
  - The impact it will have on the wildlife
- Volunteer Emergency Services are not equipped to handle the population
  - Drilling wells will deplete the natural spring to my property

Sincerely,

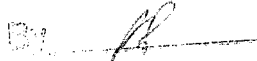


Shelly Hubacek

214-808-6814

REVIEWED

DEC 23 2022

By: 

H

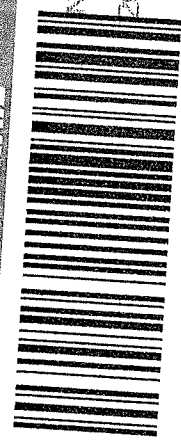
TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:33  
CHIEF CLERKS OFFICE

Shelly Hubbard  
6557 FM 879  
Ennis, TX 75499

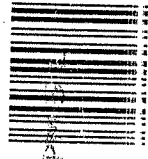
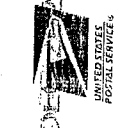
2022 DEC 22 PM 2: 26  
CHIEF CLERKS OFFICE

QUALITY

78711-3087



7022 1670 0001 5390 8537

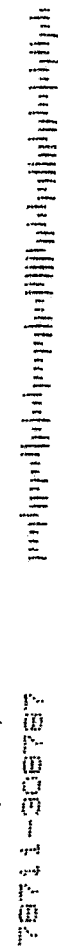


RDC 99

78711

U.S. POSTAGE PAID  
FCM LETTER  
ENNIS, TX  
75119  
DEC 20, 22  
AMOUNT  
**\$7.85**  
R2304M115704-06

Office of the Chief Clerk, MC 105  
TC EA  
P.O. Box 13087  
Austin, Texas 78711-3087





8444 FM 879  
Palmer, Texas 75152

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **8444 FM 879 Palmer, Texas 75152**

The creation of this Utility District uniquely and adversely affects me in the following way(s):  
ider

- Water runoff- Is a concern to me as it did not consider proper drainage of water runoff for all landowners. It is an inadequate plan for this area we already have low areas that are prone to flooding just from normal rain.
- Flooding and drainage should require an extensive flooding drainage for the entire path through Ellis County.
- Smells and odors from a sewer treatment plant could be horrid for our area. An Extensive Environmental Impact Study should be done regarding the effects of the excessive water generated by development and effects of crop contamination downstream. Plus, whom will be required to maintain the sewer treatment plant after the developer is long gone
- Wildlife Impact is huge concern my property is used for cattle grazing. In addition to my ponds on my property that have been stocked with numerous species of fish. We have waterfowl, birds, rabbits and squirrels that could get and brought back to our property. Not to say that they wildlife population could just be killed off by disease. I would also be concerned that damage to my ponds as well.
- Trash is a huge concern we don't have trash pickup by a city or county trucks. We have to find a trash pickup company and pay. I am concerned that people would not pay the extra expense to have their trash hauled off or take to the dump. Our dump does not have the capacity for this big of a population.
- Traffic would be a huge problem for this area Shankle road is really just a one lane. You can pass another car, but one must get in the bar ditch. If there is an average of 1600 vehicles added to this area, where are they going to go. We would need traffic lights and new roads built that would cause homeowners to lose their homes.
- School ISD does not have adequate schools now to add this type of population. Therefore, we would be burdened with additional school tax to build schools

REVIEWED

DEC 23, 2022

BY



H

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 3:35  
CHIEF CLERKS OFFICE

8444 FM 879  
Palmer, Texas 75152

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 28 2022  
By GCH H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

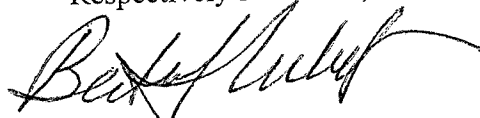
I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **8444 and 8466 FM 879 Palmer, Texas 75152**

The creation of this Utility District uniquely and adversely affects me in the following way(s):  
ider

- Water runoff- Is a concern to me as it did not consider proper drainage of water runoff for all landowners. It is an inadequate plan for this area we already have low areas that are prone to flooding just from normal rain.
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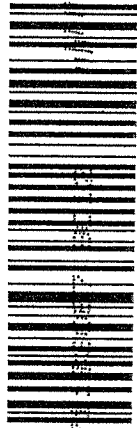
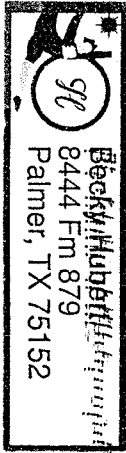
- Emergency Services - The Garrett and Bristol fire departments are voluntary and will not/or not equipped to handle the additional services, manpower and equipment needed for adequate fire protection for the additional developments. There are no fire hydrants out here. The water comes on small trucks.
- Safety/Crime - The additional housing developments create additional threats of theft, vandalism, and additional crimes that will create additional burdens to the Ellis County sheriff's Dept. This is a major concern of protection for all residents of Ellis County. It takes a while to get emergency service to our area. They have to cover all of Ellis County.
- Infrastructure we don't have it to accommodate another 800 homes possibly 1600 or more vehicles.

Respectively submitted,

A handwritten signature in black ink, appearing to read "Becky Hubert", written in a cursive style.

**Becky Hubert**

**469-688-6623**



RDC 99



78711

DEC 20 22  
AMOUNT  
\$7.85  
R2304M110826-04

7022 2410 0002 3470 8626

OFFICE OF THE CHIEF CLERK, M&HS

TCER

P. O. Box 13087

Austin, TX 78711-3087

RECEIVED

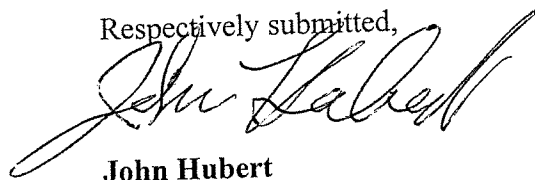
DEC 27 2022

TCER MAIL CENTER  
AJ

DEC 27 2022 18:53

- Emergency Services - The Garrett and Bristol fire departments are voluntary and will not/or not equipped to handle the additional services, manpower and equipment needed for adequate fire protection for the additional developments. There are no fire hydrants out here. The water comes on small trucks.
- Safety/Crime - The additional housing developments create additional threats of theft, vandalism, and additional crimes that will create additional burdens to the Ellis County sheriff's Dept. This is a major concern of protection for all residents of Ellis County. It takes a while to get emergency service to our area. They have to cover all of Ellis County.
- Infrastructure we don't have it to accommodate another 800 homes possibly 1600 or more vehicles.

Respectively submitted,

A handwritten signature in black ink, appearing to read "John Hubert", written in a cursive style.

**John Hubert**

**469-688-6623**



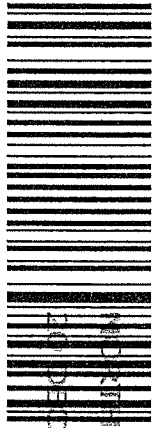
Mr. John A. Hubert  
8444 FM 879  
Palmer, TX 75152

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 22 PM 2: 25

CHIEF CLERK'S OFFICE

78711-3087

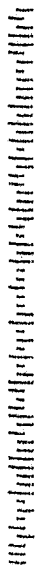


U.S. POSTAGE PAID  
FCM LETTER  
MAY ATTACHILE, TX  
75169  
DEC 20, 22  
A100 UNT  
**\$7.85**  
R2304M110826-04

7022 2410 0002 3470 8619

*OFFICE of the Chief Clerk, ME 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087*

78711-3087





If the 181 acres of the proposed development does not adequately detain or retain storm water runoff from its pre-development flow, the increase in storm water runoff from the development will exacerbate the fragile flooding conditions along Four Mile Creek and other streams downstream from the development.

**Air Quality:**

Being approximately three miles south of the proposed development, our location appears to be in the highest concentration of airborne contaminants.

**Traffic:**

Novy road connects TX 660 and Tx 34 is a narrow primarily single lane asphalt road. We would anticipate additional traffic causing more damage to the road surface and creating more dangerous conditions for children who live along Novy Road. Trash dumping is a problem now, we would anticipate significant increase with completion of MUD. The County appears to have limited resources for maintain the road and to help with littering problems.

The intersection of Novy Road and TX 34 (which is heavily traveled by sand and gravel trucks) has experienced a number of accidents with at least one fatality in the last two years.

**Additional factors of concern:**

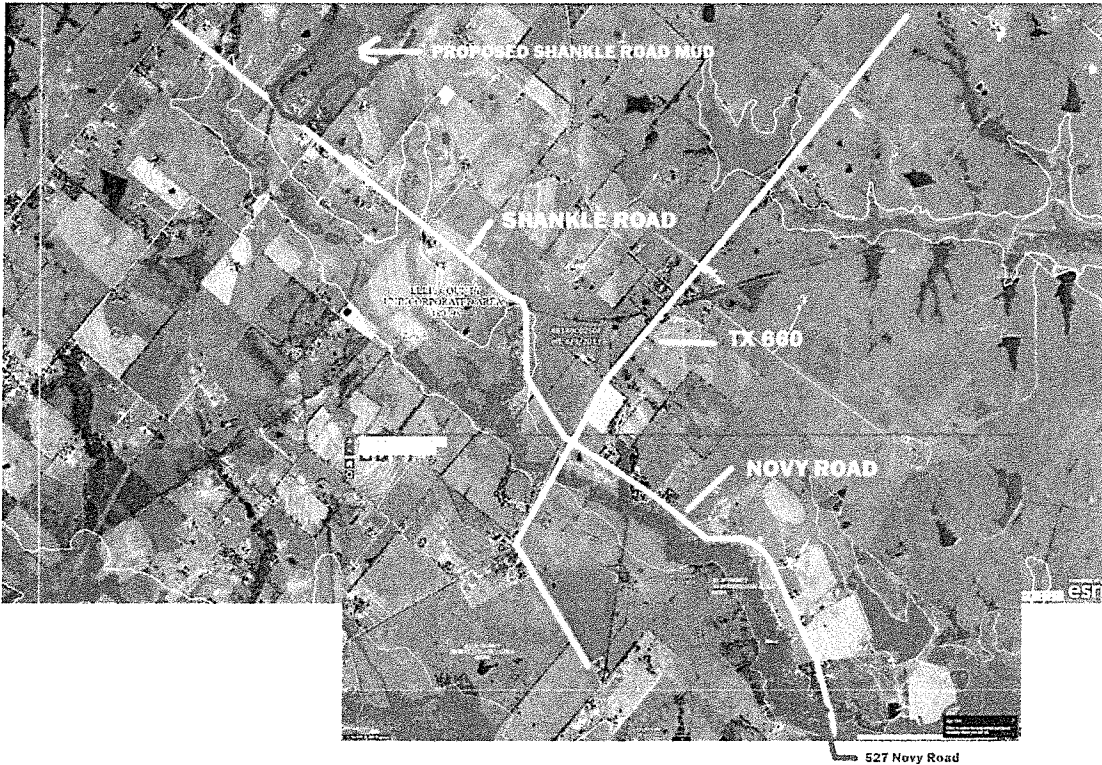
- 1) Density is very concerning. The proposed development would have the density of a very small town without all the elements of a free standing and self-supporting community.
- 2) Is the quality of development in keeping with the future potential growth of Ennis and Ellis County? Will the value of homes compare to current existing land owners? The site plan does not show any Fire station(s), parks, schools (are all children expected to be transported to various schools nearby?), police station, and no community buildings. The plan shows only entry/exit for the development and proposed 800 + lots/homes.
- 3) Untenable burdens on the surrounding services and infrastructure. This proposed MUD will require the support of local fire, water, police, of the County. Under current circumstances these agencies are already stretched to provide basic levels of service. This development would require the addition of services well beyond the developments capacity to acquire. The tax base would need to increase significantly to current land owners to provide an equivalent level of service currently provided. The day-to-day levels of service generated by this development would disproportionally spread the geographic coverage area. The demand for services compared to existing rural demand would be difficult, if not impossible to sustain with current and projected resources.

Respectively submitted,

*Darrell Wayne & Nancy Huddleston*  
Darrell Wayne and Nancy Huddleston  
(972) 875-8726

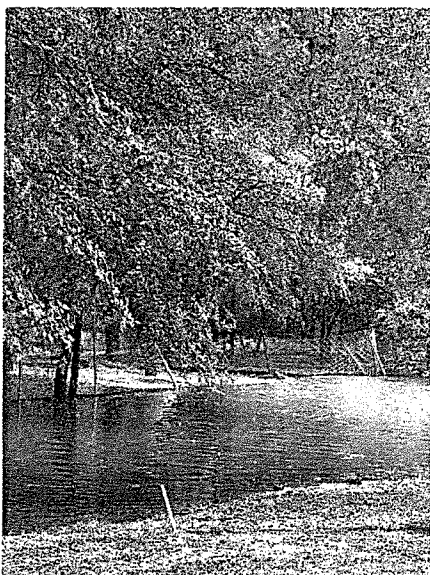
Attachments:





**This map illustrates the conditions from the proposed Shankle Road MUD and our house at 527 Novy Road. Note the blue shaded area is the Zone A flood plain as defined by FEMA.**

By Darrell Huddleston December 19, 2022



This is a photo of our South property line during the heavy rains of August, 2022. The main 'channel' of Four Mile Creek is about 1000 feet West of this 'side' channel. At this point the water level is less than a foot from reaching the 100 Year flood plain level. The water was approximately 150 feet from the corner of our house. The next-door neighbors did have some water enter a corner of their house.

HUDDESTON  
527 NOVY ROAD  
ENNIS, TX 76119

TO: OFFICE OF THE CHIEF CLERK, M/C 105  
TCEQ  
P.O. Box 13087  
AUSTIN, TX 78711-3087  
ATTN: CHIEF CLERK

PZ: PETITION D-08222022-04

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 AM 9: 54  
CHIEF CLERKS OFFICE

REVIEWED

DEC 23 2022

By AP

H

Clay & Alexis Hunter  
1714 Christian Rd.  
Ennis TX, 75119

December 15, 2022

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

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 23 AM 9:55  
CHIEF CLERKS OFFICE

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County Texas.

My property is located at 1714 Christian Rd., Ennis, TX.

The creation of this Utility District uniquely and adversely affects me in the following ways:

- Environmental and flooding concerns resulting from effluent discharge of water treatment plant effecting area, especially downstream. Environmental impact can impact existing livestock water sources negatively and adversely. Detrimental to way of life and income for existing residents.
- Raw sewage contamination of current top-shelf water sources.
- Traffic in the immediate area of FM 660 & FM879 are 2-lane rural Farm to Market Roads currently not designed or engineered to accommodate the acute volume of traffic that would be created by the density.
- Roads in the immediate area of FM 660, FM879, and HWY 34 are not designed or engineered to accommodate the acute volume of traffic that would be created by the density.
- Acute Volume of traffic would create an immediate safety issue for existing residents in the area.
- Immediate school districts for Ennis and Palmer are not adequately designed to handle proposed acute density. Tax base is not appropriately structured to support. Tax base would be increased significantly.
- Emergency and Police services are not in place to support such acute density. Subject to criminal elements and creates immediate safety and wellbeing issue to existing residents in the area.

Sincerely,



Contact: Ernie Martinek

**State Rep:** Texas House of Representatives Ellis County: Brian Harrison

Austin Office #: (512)-463-0516

Waxahachie Office #: (972) 923-0264

**State Senator:** Bob Hall – District 2

Austin office: 512-463-0102

**Note:** It is strongly recommended that you call and or email Brian Harrison and Bob Hall and them aware of your opinion on the Shankle Road MUD project by Steve Selinger.

Send Letters Certified with Return receipt no later than December 23, 2022. In your letter be specific on how this project would adversely affect you, your property, and family.



233 Eason Road  
Ennis, TX 75119

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 233 Eason Road, Ennis, Texas 75119.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

**Inadequate water drainage** - throughout the surrounding properties.

**Flooding.** - No drainage plan has been provided for the area to my knowledge.

**Sewer treatment plant effects, i.e. smells, odors, etc.** - winds will carry over to other properties and drainage again will effect this.

**Wildlife, crops, livestock effects.** - Impact studies should be provided by the development.

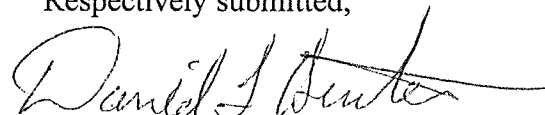
**Trash and clutter.** - Highly densed housing will create excessive amounts of trash and clutter.

**Traffic.** - The additional traffic in the area and safety of its residents is of great concern causing congestion and road deterioration.

**Schools, emergency services, fire protection.** - All will be negatively impacted.

**Safety of residents.** - The addition of low-cost housing will create the threat of crime, theft, vandalism

Respectively submitted,



Daniel L. Hunter

214-460-7621

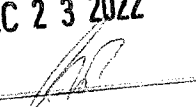
REVIEWED

DEC 23 2022

RV

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:41  
CHIEF CLERKS OFFICE

H



Daniel L. Hunter  
233 Eason Road  
Ennis, TX 75119

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2007 DEC 22 PM 2:05



RDC 99

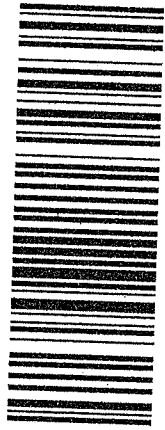


78711

U.S. POSTAGE PAID  
FCM LETTER  
ENNIS, TX  
75119  
DEC 20, 22  
AMOUNT  
**\$7.85**  
R2304M113118-12

PLACE STICKER ATTENTION OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS FOLD AT DOTTED LINE  
**CERTIFIED MAIL**

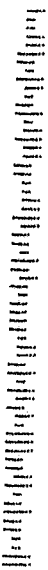
CHIEF CLERK'S OFFICE



7022 1670 0001 5390 8469

Office of the Chief Clerk, MC 105  
TCEQ  
P. O. Box 13087  
Austin, TX 78711-3087

78711-3087



## Vander Gold

---

**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, December 22, 2022 10:06 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044

**From:** Daniellynn1000@gmail.com <Daniellynn1000@gmail.com>  
**Sent:** Thursday, December 22, 2022 4:24 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Daniel Hunter

**EMAIL:** [Daniellynn1000@gmail.com](mailto:Daniellynn1000@gmail.com)

**COMPANY:**

**ADDRESS:** 233 EASON RD  
ENNIS TX 75119-0098

**PHONE:** 2144607621

**FAX:**

**COMMENTS:** I request denial of the creation of Shankle Road MUD" MY CONCERNS ARE AS FOLLOWS \*Waste water treatment plant \*Flooding \*Odor \*Trash \*School - burden on Palmer ISD \*Traffic \*Road conditions - burden on Ellis Co tax payers \*Infrastructure \*Wildlife \*Agriculture/livestock \*Water \*Fire protection - burden on ESDs and FDs \*Emergency Services - burden in Sheriffs Dept / Police Dept \*Crime \*Financial burden on homeowners \*Small lot sizes



\*High density housing \*Incorrect information on permits \*Improper notification of landowners \*Request regional drainage plan for all downstream creeks/rivers

233 Eason Road  
Ennis, TX 75119

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:41  
CHIEF CLERKS OFFICE

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 233 Eason Road, Ennis, Texas 75119.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- Inadequate water drainage throughout the surrounding properties
- Flooding. No drainage plan has been provided for the area to my knowledge
- Sewer treatment plant effects, i.e. smells, odors, etc. winds will carry over to other properties and drainage again will effect this
- Wildlife, crops, livestock effects. Impact studies should be provided by the development
- Trash and clutter. Highly densed housing will create excessive amounts of trash and clutter
- Traffic. The additional traffic in the area and safety of its residents is of great concern causing congestion and road deterioration
- Schools, emergency services, fire protection. All will be negatively impacted.
- Safety of residents. The addition of low-cost housing will create the threat of crime, theft, vandalism

Respectively submitted,

*Laura L. Hunter*

Laura L. Hunter

214-926-4763

REVIEWED

DEC 23 2022

BV

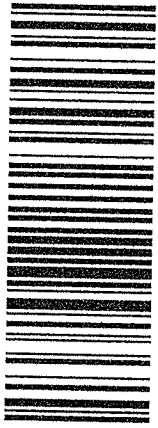
H

Laura L. Hunter  
233 Eason Road  
Ennis, TX 75119

MISSION  
COMPROMENTAL  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 22 PM 2:25

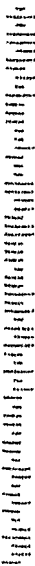
CHIEF CLERKS OFFICE



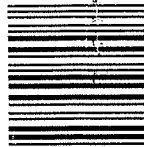
7022 1670 0001 5390 8476

Office of the Chief Clerk, MC 105  
TCEQ  
P. O. Box 13087  
Austin, TX 78711-3087

78711-3087



RDC 99



78711

U.S. POSTAGE PAID  
FORM LETTER  
ENNIS, TX  
75119  
DEC 20, 22  
AMOUNT  
**\$7.85**  
R2304M113118-12

## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, December 22, 2022 10:08 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

**From:** lhunter@huntoil.com <lhunter@huntoil.com>  
**Sent:** Thursday, December 22, 2022 9:48 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Laura Lee Hunter

**EMAIL:** [lhunter@huntoil.com](mailto:lhunter@huntoil.com)

**COMPANY:**

**ADDRESS:** 233 EASON RD  
ENNIS TX 75119-0098

**PHONE:** 2149264763

**FAX:**

**COMMENTS:** I request denial of the creation of Shankle Road MUD. Some of the reasons for objection are below, all negatively effecting this area. \*Waste water treatment plant - excessive run off into natural streams and creeks  
\*Flooding - homes, yards, children playing all effected \*Odors - regardless of treatment, odors will be constantly in the area, future heal effect \*Trash - not contained will be spread throughout the countryside \*School - burden on Palmer ISD \*Traffic - 1600 extra vehicles predicted on a two lane country road \*Road conditions - burden on Ellis Co tax payers

\*Infrastructure \*Wildlife - now and for future generations will be impacted \*Agriculture/livestock \*Water \*Fire protection - burden on ESDs and FDs \*Emergency Services - burden in Sheriffs Dept / Police Dept \*Crime - more people, more crime \*Financial burden on homeowners \*Small lot sizes \*High density housing \*Incorrect information on permits \*Improper notification of landowners \*Request regional drainage plan for all downstream creeks/streams

Virgil Hurley  
307 Highland Dr.  
Ennis, Tx 75119

December 15, 2022

Office of the Chief Clerk, MC105  
TCEQ  
P. O. Box 13087  
Austin, Tx 75711-3087

**REVIEWED**  
DEC 20 2022 H  
GW

In RE: Petition D-008222022-044, Petitioned by Steve Salinger

Attn: Chief Clerk

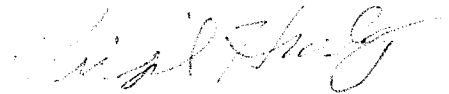
I request a contested case hearing for Petition D-082222-044, petitioned by Steve Salinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

My property is located at approximately 8311 FM 879 within ¼ mile from above MUD.

The creation of this Utility District uniquely and adversely affects me in the following ways:

- This area is a rural area developing with small ranchette with single dwelling homes which are attractive to development. The addition of this MUD with high density homes will greatly degrade that attraction to buyers.
- Shankle Road is a narrow county road barely room for two cars to pass much less the 1600 cars estimated from 811 homes exiting and entering at least twice a day. Shankle road is used daily as a marketing path for farm products including slow moving tractors. I understand there is no plan to widen the road. This additional traffic will also affect FM879 congestion in front of my property.
- I am concerned also with the potential air pollution that will be created by a private water and sewerage. Since no city or water district will supply these services what happens when they fail to control odors and raw sewage. This will certainly affect the quality of life and attractiveness of my land. What would be my recourse in the event they could not maintain.

Sincerely,



Virgil Hurley

DEC 22 11:36

TCEQ OCC

★  
Mr. Virgil Hurley  
307 Highland Dr.  
Ennis, TX 75119  
★



NORTH TEXAS TX P&DC  
DALLAS TX 750  
17 DEC 2022 PM 6 L

RECEIVED

DEC 20 2022

TCEQ MAIL CENTER  
JR

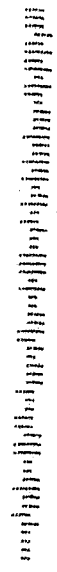
*Office of the Chief Clerk MC105*

*TCEQ  
P.O. Box 13087*

*Austin TX 78711-3087*

TCEQ.DDC  
20DEC 22 11:36

78711-308797



Don Huskins  
8046 FM 879  
Palmer, Texas 75152

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

**REVIEWED**  
**DEC 28 2022**  
By GCW H

TCEQ OCC

27DEC '22 15:02

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

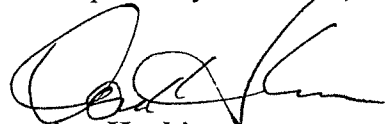
I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **8046 FM 879, Palmer, TX 75152.**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

**I have several main concerns for this project. First we are very rural, subject to a voluntary fire Department; we are outside municipal Police Department areas, and housing additions this size always bring crime to the area. The proposed size of this development would over burden the school district; create burdensome traffic problems for country roads, and burden our small water district. This would eliminate pasture land and displace animals to another area, affect wild animals and our adjacent property. This area is home to several species of migratory birds, deer, coyotes, small game animals. An operating sewer plant this close to rural properties would pollute the air with foul smelling odors. Depending on the size of the proposed houses, an addition this size will affect home appraisal prices. Shankle Rd is a small narrow road that ends at a farm to market road, not conducive to high traffic, construction vehicles, cement trucks and over population to the area.**

Respectfully submitted,

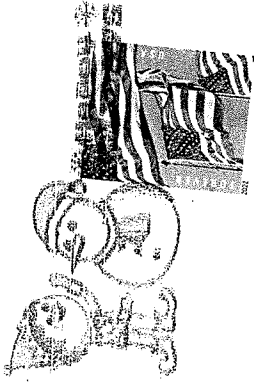
  
Don Huskins

972-345-9997



Don Huskins  
8046 FM 879  
PALMOL TX 75152

NORTH TEXAS TX P&DC  
DALLAS TX 750  
23 DEC 2022 PM 1 L



20:51 22 0302  
TCER 000

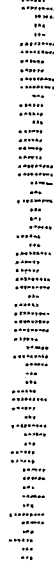
Office of Chief Clerk, MC 105  
TCER  
PO BOX 13087  
AUSTIN, TX 78711-3087

RECEIVED

DEC 27 2022

TCER MAIL CENTER  
CJ

78711-308787



## Christina Bourque

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, January 11, 2023 11:31 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

H

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**From:** Ejjakubik@yahoo.com <Ejjakubik@yahoo.com>  
**Sent:** Tuesday, January 10, 2023 4:58 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Ernest Jakubik, JR

**EMAIL:** [Ejjakubik@yahoo.com](mailto:Ejjakubik@yahoo.com)

**COMPANY:**

**ADDRESS:** 3047 E HIGHWAY 34  
ENNIS TX 75119-1446

**PHONE:** 9728775838

**FAX:**

**COMMENTS:** I am requesting a hearing in regards to the Shankal Rd MUD. As a citizen in the community I am against the proposed project. I have concerns in regard to the local infrastructure. During the bluebonnets festival when people stop just to take pictures our road ways are overwhelmed, this supports the fact that the roads in the area are not enough to support building a project if that size or the people to come once the project is completed. The schools and first responders (medical, fire, and police) that service the area are overworked, understaffed, and under equipped with the

existing community it serves. An additional significant influx of residents would further stress these services, resulting in ill effects to the existing community. I also have concerns on the effects to all of the wildlife, livestock, and residents down stream. I am requesting a denial of the creation of the Shankel Rd MUD.

Cindy Jenkins  
PO Box 772  
Ennis TX, 75120

December 15, 2022

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

REVIEWED  
DEC 23 2022  
Gce H

CHIEF CLERKS OFFICE

2022 DEC 19 AM 10:53

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

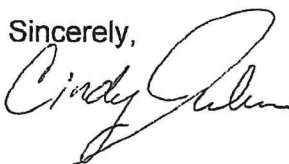
I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County Texas.

My property is located at 9575 FM 660 Ennis, TX.

The creation of this Utility District uniquely and adversely affects me in the following ways:

- Environmental and flooding concerns resulting from effluent discharge of water treatment plant effecting area, especially downstream. Environmental impact can impact existing livestock water sources negatively and adversely. Detrimental to way of life and income for existing residents.
- Raw sewage contamination of current top-shelf water sources.
- Traffic in the immediate area of FM 660 as a 2-lane rural Farm to Market Road currently not designed or engineered to accommodate the acute volume of traffic that would be created by the density.
- Roads in the immediate area of FM 660 and HWY 34 are not designed or engineered to accommodate the acute volume of traffic that would be created by the density.
- Acute Volume of traffic would create an immediate safety issue for existing residents in the area.
- Immediate school districts for Ennis and Palmer are not adequately designed to handle proposed acute density. Tax base is not appropriately structured to support. Tax base would be increased significantly.
- Emergency and Police services are not in place to support such acute density. Subject to criminal elements and creates immediate safety and wellbeing issue to existing residents in the area.

Sincerely,



Office of the Chief Clerk, MC105  
**TCEQ**  
PO Box 13087  
Austin, TX 78711-3087

CHIEF CLERKS OFFICE

2022 DEC 19 AM 10:53

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

**Ellie Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Friday, January 6, 2023 2:52 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044

H

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**From:** jenxsco@gmail.com <jenxsco@gmail.com>  
**Sent:** Thursday, January 5, 2023 10:06 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Jerl T Jenkins

**EMAIL:** [jenxsco@gmail.com](mailto:jenxsco@gmail.com)

**COMPANY:**

**ADDRESS:** PO BOX 772  
ENNIS TX 75120-0772

**PHONE:** 2149809267

**FAX:**

**COMMENTS:** Office of the Chief Clerk, MC 105 TCEQ P.O. Box 13087 Austin, TX 78711-3087 In Re: Petition D-08222022-044, petitioned by Steve Selinger Attn: Chief Clerk I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County. I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 9575 FM 660 Ennis TX 75119. The creation of this Utility District uniquely and adversely affects me in the following way(s): •

Water runoff- should concern all surrounding property owners as an inadequate drainage plan was submitted by the Petitioner. It did not consider any drainage/water runoff to the East and South affected landowners. • Flooding/drainage - should concern all landowners downstream from Shankle Road to Novy Road to 4-mile creek to Village Cr to Telico and on to the Trinity River. An extensive drainage plan should be demanded for the entire drainage/flooding inclusive of the entire path through Ellis County. • Wildlife Impact- The proposed development is and historically has been a nesting ground for wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain. An extensive wildlife impact study should be provided and demanded from the Petitioner. This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock. Respectively submitted, Jerl T. Jenkins 214-980-9267

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Jerl T. Jenkins  
PO Box 772  
Ennis, TX 75120

December 19, 2022

2022 DEC 21 PM 1:14

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

CHIEF CLERKS OFFICE

REVIEWED

DEC 21 2022

Gau H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

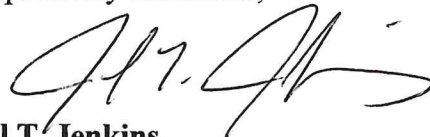
I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **9575 FM 660 Ennis TX 75119**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- **Water runoff**- should concern all surrounding property owners as an inadequate drainage plan was submitted by the Petitioner. It did not consider any drainage/water runoff to the East and South affected landowners.
- **Flooding/drainage** - should concern all landowners downstream from Shankle Road to Novy Road to 4-mile creek to Village Cr to Telico and on to the Trinity River. **An extensive drainage plan should be demanded for the entire drainage/flooding inclusive of the entire path through Ellis County.**
- **Wildlife Impact**- The proposed development is and historically has been a nesting ground for wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain. **An extensive wildlife impact study should be provided and demanded from the Petitioner.** This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock.

Respectively submitted,



Jerl T. Jenkins

214-980-9267





Kyle & Co., Architects  
Po Box 772  
Ennis, TX 75120

**RECEIVED**  
**DEC 21 2022**  
TCEQ MAIL CENTER  
AJ

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
**CERTIFIED MAIL**



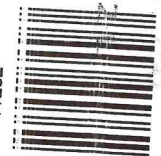
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Office of the Chief Clerk, MC105  
**TCEQ**  
PO Box 13087  
Austin, TX 78711-3087

78711-3087



RDC 99



78711

U.S. POSTAGE PAID  
FCM LETTER  
ENNIS, TX  
75119  
DEC 19 22  
AMOUNT

**\$7.85**  
R2304M115704-89

CHIEF CLERKS OFFICE

2022 DEC 21 PM 1:14

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY



Jerl Jenkins  
PO Box 772  
Ennis TX, 75120

December 15, 2022

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

REVIEWED  
DEC 20 2022  
By Gcw H

CHIEF CLERKS OFFICE

2022 DEC 19 AM 10:55

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County Texas.

My property is located at 9575 FM 660 Ennis, TX.

The creation of this Utility District uniquely and adversely affects me in the following ways:

- Environmental and flooding concerns resulting from effluent discharge of water treatment plant effecting area, especially downstream. Environmental impact can impact existing livestock water sources negatively and adversely. Detrimental to way of life and income for existing residents.
- Raw sewage contamination of current top-shelf water sources.
- Traffic in the immediate area of FM 660 as a 2-lane rural Farm to Market Road currently not designed or engineered to accommodate the acute volume of traffic that would be created by the density.
- Roads in the immediate area of FM 660 and HWY 34 are not designed or engineered to accommodate the acute volume of traffic that would be created by the density.
- Acute Volume of traffic would create an immediate safety issue for existing residents in the area.
- Immediate school districts for Ennis and Palmer are not adequately designed to handle proposed acute density. Tax base is not appropriately structured to support. Tax base would be increased significantly.
- Emergency and Police services are not in place to support such acute density. Subject to criminal elements and creates immediate safety and wellbeing issue to existing residents in the area.

Sincerely,



Office of the Chief Clerk, MC105  
TCEQ  
PO Box 13087  
Austin, TX 78711-3087

CHIEF CLERKS OFFICE

2022 DEC 19 AM 10:55

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Hunter Jones  
346 Cody Rd  
Ennis, TX 75119

December 17, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

RECEIVED  
DEC 23 2022  
Gaw H

TCEQ OCC  
28DEC '22 9:51

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **346 Cody Rd, Ennis, Texas 75119**

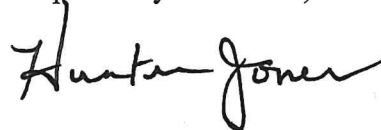
The creation of this Utility District uniquely and adversely affects me in the following way(s):

The roads on the east side of highway 45 in Ennis cannot accommodate the heavy amount of traffic that would be added to this area. Our infrastructure is already behind because of the growth in our county.

We have a great deal of wildlife that lives in our county . Deer, rabbits, owls, possums, skunks, frogs, and turtles are just some of the wildlife that thrive in our area. I am requesting that an extensive wildlife impact study be done for our area. A neighborhood would require a great deal of water which our water suppliers do not have. Drilling water wells will deplete any natural waters needed for the plants and animals in our area. Our school district would be overwhelmed by the number of students this project would bring into the system

My property on Cody Rd is across Highway 34 from the proposed MUD.

Respectively submitted,



Hunter Jones

214-600-2663

346 Colony Rd  
Ennis, TX 75119

TCEQ OCC  
28DEC 22 9:51

Office of the Chief Clerk, McLOS  
FREEQ 13087  
P.O. Box 78711-3087  
Austin, TX

CERTIFIED MAIL



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RECEIVED

DEC 28 2022

TCEQ MAIL CENTER  
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RDC 99



78711

U.S. POSTAGE PAID  
FROM LETTER  
ENNIS, TX  
DEC 19 22  
AMOUNT  
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TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 21 PM 1:18

CHIEF CLERKS OFFICE

Hunter Jones  
581 Novy Rd  
Ennis, TX 75119

December 17, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED

DEC 21 2022

Gau H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

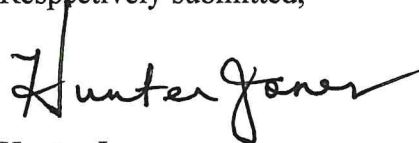
I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **581 Novy Rd, Ennis, Texas 75119**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

The water run off will run into Four Mike Creek which runs through my property. This is a small creek and during hard rain, it overflows and floods the back section of my property. Any additional water has the potential to flood my home. Water from a waste management plant will also create an odor issue that will lower my property value. I am requesting an environmental impact study to be done. We have a great deal of wildlife that lives in the creek and wooded areas on our block. Deer, rabbits, owls, possums, skunks, frogs, and turtles are just some of the wildlife that thrive in our area. I am requesting that an extensive wildlife impact study be done for our area. A neighborhood would require a great deal of water which our water suppliers do not have. Drilling water wells will deplete any natural waters needed for the plants and animals in our area. Our school district would be overwhelmed by the number of students this project would bring to our school system. Bombarding our schools with students adversely affects all of the children currently attending our schools.

My property on Novy Rd is down the block about less than a mile from Shankle Road.

Respectively submitted,



Hunter Jones

214-600-2663

581 Navy Rd  
Ennis TX 75119

RECEIVED

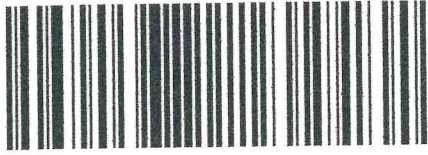
DEC 21 2022

TCOQ MAIL CENTER  
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NORTH TEXAS TX 750  
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Office of the Chief Clerk, MC 105  
TCOQ  
PO Box 13087  
Austin, TX 78711-3087

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CERTIFIED MAIL  
PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

78711-3087



TEXAS  
MISSION  
FROM LETTER  
ENNIS, TX  
DEC 19, 22  
AMOUNT  
\$7.85  
R304M113349-03

CHIEF CLERKS OFFICE

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 21 PM 1:14

CHIEF CLERKS OFFICE

Jeff Jones  
581 Novy Rd  
Ennis, TX 75119

December 17, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 21 2022  
By Gou H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **581 Novy Rd, Ennis, Texas 75119**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

The water run off will run into Four Mike Creek which runs through my property. This is a small creek and during hard rain, it overflows and floods the back section of my property. Any additional water has the potential to flood my home. Water from a waste management plant will also create an odor issue that will lower my property value. I am requesting an environmental impact study to be done. We have a great deal of wildlife that lives in the creek and wooded areas on our block. Deer, rabbits, owls, possums, skunks, frogs, and turtles are just some of the wildlife that thrive in our area. I am requesting that an extensive wildlife impact study be done for our area. A neighborhood would require a great deal of water which our water suppliers do not have. Drilling water wells will deplete any natural waters needed for the plants and animals in our area. Our school district would be overwhelmed by the number of students this project would bring to our school system. Bombarding our schools with students adversely affects all of the children currently attending our schools.

My property on Novy Rd is down the block about less than a mile from Shankle Road.

Respectively submitted,



Jeff Jones

214-534-7056



581 NAVA Rd  
Ennis, TX 75119

CERTIFIED MAIL



NORTH TEXAS TX 750  
19 DEC 2022 PM 10 L

7022 1670 0001 5390 7349

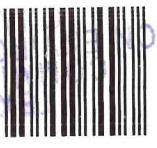
Office of the Chief Clerk, MC 105

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Austin, TX 78711-3087

CHIEF CLERKS OFFICE

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FROM ENNIS, TX  
DEC 19, 22  
AMOUNT  
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R2304M113349-03

78711-3087



Jeff Jones  
346 Cody Rd  
Ennis, TX 75119

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21DEC 22 10:19

December 17, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
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y Gaw H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **346 Cody Rd, Ennis, Texas 75119**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

The roads on the east side of highway 45 in Ennis cannot accommodate the heavy amount of traffic that would be added to this area. Our infrastructure is already behind because of the growth in our county.

We have a great deal of wildlife that lives in our county . Deer, rabbits, owls, possums, skunks, frogs, and turtles are just some of the wildlife that thrive in our area. I am requesting that an extensive wildlife impact study be done for our area. A neighborhood would require a great deal of water which our water suppliers do not have. Drilling water wells will deplete any natural waters needed for the plants and animals in our area. Our school district would be overwhelmed by the number of students this project would bring into the system  
My property on Cody Rd is across Highway 34 from the proposed MUD.

Respectively submitted,

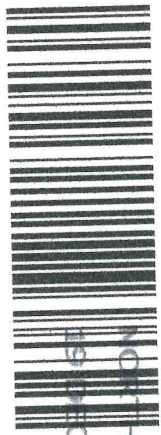


Jeff Jones

214-534-7056

346 Cooby Rd  
Emmitsville 75119

CERTIFIED MAIL



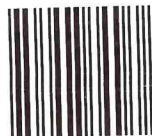
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Office of the Chief Clerk, MC105  
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PO Box 13087  
Austin, TX 78711-3087  
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DEC 19 2022  
\$7.85  
R2304M113349-03

## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, December 22, 2022 2:54 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

**From:** jsn526@yahoo.com <jsn526@yahoo.com>  
**Sent:** Thursday, December 22, 2022 2:43 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** JoAnn Needham Jones

**EMAIL:** [jsn526@yahoo.com](mailto:jsn526@yahoo.com)

**COMPANY:**

**ADDRESS:** 8176 FM 660  
ENNIS TX 75119-1669

**PHONE:** 2148379490

**FAX:**

**COMMENTS:** I am requesting denial of the creation of the Shankle Rd MUD. This MUD needs to please be stopped. It will cause flooding, odor, burden of Palmer schools, burden on the fire and EMS, danger to our beautiful wildlife, traffic, infrastructure problems, High density housing, contamination to our creeks/water supply for cattle, crime and financial burden on the homeowners nearby. There was improper notification to the landowners and incorrect information on permits.

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 21 AM 11:17

CHIEF CLERKS OFFICE

JoAnn Jones  
8176 FM 660  
Ennis, TX 75119

December 19, 2022  
Via Certified Mail

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 21 2022  
By Gow H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk or Whoever this concerns:

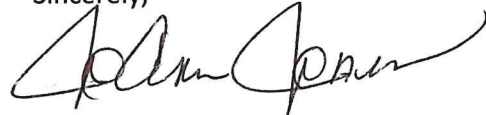
This letter is being sent to request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County, in Texas.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **8176 FM 660, Ennis Texas 75119**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- **Odor concerns**
  - **The impact it will have on the wildlife**
  - **Contamination to ponds for drinking water for our cattle**
    - **Down stream flooding**
- **Volunteer Emergency Services are not equipped to handle the population**
  - **Drilling wells will deplete the natural spring to my property**
    - **Contamination to my land for growth of crops**
  - **Destruction to habitat for roosting for the Canadian geese**

Sincerely,

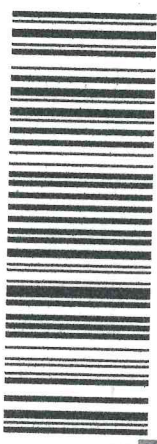


JoAnn Jones

214-837-9490

CERTIFIED MAIL

Jones  
8176 FM Lbd  
Ennis TX 75119



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RDC 99



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ENNIS, TX  
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2022 DEC 21 AM 11:17  
CHIEF OF BUREAU OFFICE

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DEC 21 2022

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AM

Office of the Chief Clerk,

TCEQ

P.O. Box 13087

AUSTIN TX 78711-3087

REVIEWED

John Jones  
8176 FM 660  
Ennis, TX 75119

DEC 21 2022

By Gcu #

December 19, 2022

Mailed via Certified Letter

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk:

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 21 AM 11:08  
CHIEF CLERKS OFFICE

This letter is being sent to request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County, in Texas.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **8176 FM 660, Ennis Texas 75119**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- Odor concerns
  - The impact it will have on the wildlife
    - Contamination to ponds for drinking water for our cattle
      - Down stream flooding
- Volunteer Emergency Services are not equipped to handle the population
  - Drilling wells will deplete the natural spring to my property
    - Contamination to my land for growth of crops
  - Destruction to habitat for roosting for the Canadian geese

Sincerely,

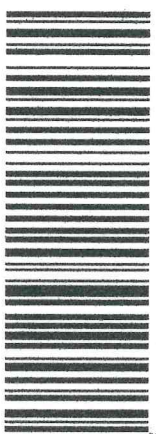


John Jones

214-837-6377

Jones  
8176 FM 44D  
Ennis, TX 75119

**CERTIFIED MAIL**



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**RECEIVED**  
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Office of The Chief Clerk, m4105  
TCED  
P.O. Box 13087

Austin TX 78711-3087

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QUALITY  
2022 DEC 21 AM 11:08  
CHIEF CLERKS OFFICE



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Misty Jones  
581 Novy Rd  
Ennis, TX 75119

2022 DEC 21 PM 1:17

CHIEF CLERKS OFFICE

December 17, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 21 2022  
Gcu H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **581 Novy Rd, Ennis, Texas 75119**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

The water run off will run into Four Mike Creek which runs through my property. This is a small creek and during hard rain, it overflows and floods the back section of my property. Any additional water has the potential to flood my home. Water from a waste management plant will also create an odor issue that will lower my property value. I am requesting an environmental impact study to be done. We have a great deal of wildlife that lives in the creek and wooded areas on our block. Deer, rabbits, owls, possums, skunks, frogs, and turtles are just some of the wildlife that thrive in our area. I am requesting that an extensive wildlife impact study be done for our area. A neighborhood would require a great deal of water which our water suppliers do not have. Drilling water wells will deplete any natural waters needed for the plants and animals in our area. Our school district would be overwhelmed by the number of students this project would bring to our school system. Bombarding our schools with students adversely affects all of the children currently attending our schools.

My property on Novy Rd is down the block about less than a mile from Shankle Road.

Respectively submitted,

*Misty Jones*

Misty Jones

214-502-9994

581 Noyes Rd  
Ennis, TX 75119

CERTIFIED MAIL



7022 1670 0001 5390 7356

ENNIS TEXAS TX 750  
DEC 20 2022 PM 6 L



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TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

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CHIEF CLERKS OFFICE

Office of the Chief Clerk, Mc 105  
TCEQ 13087  
PO BOX 78711-3087  
Austin, TX

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DEC 21 2022

TCEQ MAIL CENTER  
AJ

78711-308767



Misty Jones  
346 Cody Rd  
Ennis, TX 75119

December 17, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TCEQ OCC  
21DEC '22 10:18

REVIEWED

DEC 21 2022

by Gow

H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **346 Cody Rd, Ennis, Texas 75119**

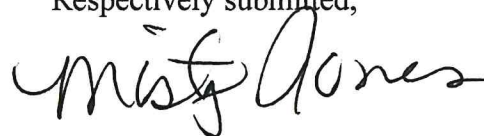
The creation of this Utility District uniquely and adversely affects me in the following way(s):

The roads on the east side of highway 45 in Ennis cannot accommodate the heavy amount of traffic that would be added to this area. Our infrastructure is already behind because of the growth in our county.

We have a great deal of wildlife that lives in our county . Deer, rabbits, owls, possums, skunks, frogs, and turtles are just some of the wildlife that thrive in our area. I am requesting that an extensive wildlife impact study be done for our area. A neighborhood would require a great deal of water which our water suppliers do not have. Drilling water wells will deplete any natural waters needed for the plants and animals in our area. Our school district would be overwhelmed by the number of students this project would bring into the system

My property on Cody Rd is across Highway 34 from the proposed MUD.

Respectively submitted,



Misty Jones

214-502-9994

CERTIFIED MAIL

346 Colby Rd  
Gunnis, TX 75119



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Office of the Chief Clerk, MC105  
TCED 13087  
PO Box 78711 - 308757  
Austin, TX

DEC 21 2022

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6026 FM 879  
Ennis TX, 75119

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DEC 23 2022  
By Gau #

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TCEQ OCC

27DEC '22 15:08

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 6026 FM 879, Ennis TX 75119.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

1. Smells/ Odors from sewer treatment plant will impact my home and homes around the area. The plans submitted by the Petitioner are inadequate for the proposed development and additional developments the developer may add to the District.
2. An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of crop contamination downstream. Flooding and drainage will be negatively impacted from this development. An extensive drainage plan should be undertaken for all areas around the development.
3. There are not adequate emergency services for a development of this size for this area. The surrounding fire departments, emergency medical services, and police services are not equipped with manpower or equipment to support this level of development in this area. Costs to increase these services will be passed on to the current residents in the area as well as the emergency services districts.

Respectively submitted,



Roman Kasowski

Kusnowski  
6026 FM 8729  
Ennis, TX 75119

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE  
**CERTIFIED MAIL**



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Office of the Chief Clerk, MC-105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087



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27DEC 22 15:08

113 Parker Ridge Road  
Palmer TX, 75152

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
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In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

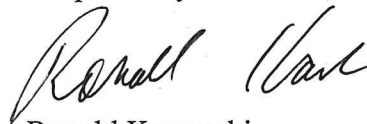
I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 113 Parker Ridge Road, Palmer Texas, 75152.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

1. This development will negatively impact the environmental and wildlife environment in the proposed development area, as well as the rain and water runoff area from this development. At a minimum, a **extensive environmental impact study should be undertaken** to evaluate the effects of excessive groundwater and potential crop contamination due to the proposed treatment plant.
2. Flooding and drainage will be negatively impacted from this development. **An extensive drainage plan should be undertaken for all areas around the development.**
3. There are not adequate emergency services for a development of this size for this area. The surrounding fire departments, emergency medical services, and police services are not equipped with manpower or equipment to support this level of development in this area. Costs to increase these services will be passed on to the current residents in the area as well as the emergency services districts.

Respectively submitted,



Ronald Kasowski

214-535-2730

Kasowski  
13 Parker Ridge Rd  
Palmer, TX 75752

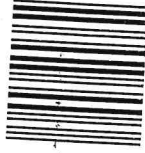
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DEC 27 2022

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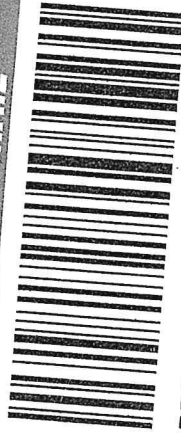
Office of the Chief Clerk, MC-105

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P.O. Box 13087

Austin, TX 78711-3087

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TCEQ 000

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1932 Alsdorf Road  
Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **1932 Alsdorf Road, Ennis, TX 75119**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

Although I would love to see growth as a real estate agent. This is not feasible for this area. We will be affected by the high density of people our schools are not capable of the additional students, fire, police, and Ems have a delayed response already due to distances and staffing, and county roads will need to be resurfaced to handle the additional traffic and the noise pollution will cause additional harm to the area.

Respectively submitted,



**Eric Keathly**

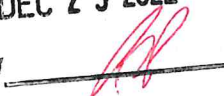
972-877-2005

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:42  
CHIEF CLERKS OFFICE

REVIEWED

DEC 23 2022

By



Texas Premier Realty  
North Central Texas Group  
PO Box 8892  
Ennis Texas 75120



RDC 99



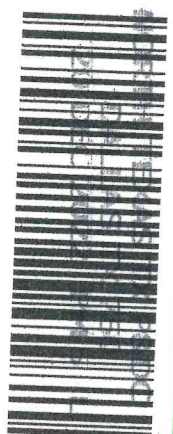
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DIRECT MAIL PERMIT NO. 117  
ENNIS, TX  
AMOUNT \$7.25  
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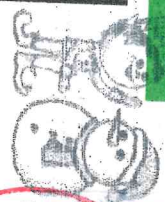
Office of the Chief Clerk,  
MC-105, TCEQ  
P.O. Box 13087  
Austin, TX 78711-308

78711-308787

CERTIFIED MAIL



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CHIEF CLERKS OFFICE

2012 DEC 22 PM 2:25

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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1932 Alsdorf Road  
Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **1932 Alsdorf Road, Ennis, TX 75119**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

Although I would love to see growth as a real estate agent. This is not feasible for this area. We will be affected by the high density of people our schools are not capable of the additional students, fire, police, and Ems have a delayed response already due to distances and staffing, and county roads will need to be resurfaced to handle the additional traffic and the noise pollution will cause additional harm to the area.

Respectively submitted,



**Jennifer Keathly**

972-877-1996

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:38  
CHIEF CLERKS OFFICE

REVIEWED

DEC 23 2022

By 



Texas Premier Realty  
North Central Texas Group  
PO Box 8892  
Ennis Texas 751209



RDC 99



78711

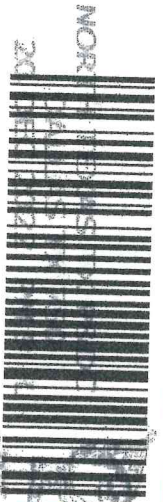
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ENNIS, TX  
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AMOUNT  
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Chief of the Chief Clerk,  
MC-105, TCEQ  
P.O. Box 13087  
Austin, TX 78711-308

78711-308787



7022 1670 0001 5390 8353



ON ENVIRONMENTAL  
COMMISSION  
QUALITY  
2022 DEC 22 PM 2:25  
CLERKS OFFICE

## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 21, 2022 1:24 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

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**From:** Jennifer@txprnct.com <Jennifer@txprnct.com>  
**Sent:** Wednesday, December 21, 2022 1:23 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Jennifer Keathly

**EMAIL:** [Jennifer@txprnct.com](mailto:Jennifer@txprnct.com)

**COMPANY:**

**ADDRESS:** 1932 ALSDORF RD  
ENNIS TX 75119-7468

**PHONE:** 9728771996

**FAX:**

**COMMENTS:** I request denial of the creation of the shackle road mud due to the flooding in the area the overburdened of the Palmer ISD schools, traffic, water, the burden on the emergency service, burden on the sheriffs department, additional crime being brought to the area, the size of the lot and the high density housing.

1540 Union Hill Rd  
~~Address~~  
Ennis, TX 75119

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

DEC 23 2022  
TCEQ OCC  
27DEC '22 15:07  
Gaw H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located **1540 Union Hill Rd, Ennis, TX, 75119**

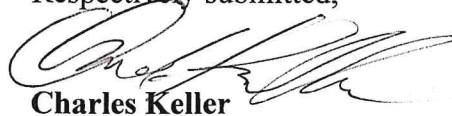
The creation of this Utility District uniquely and adversely affects me in the following way(s):  
I worry about water runoff, flooding/ drainage. The amount of water that a large treatment plant will generate is very concerning. The use of a treatment plant for these homes instead of individual septic systems inspected by the county is of great concern. It is interesting to me that this type of system is called MUD because I'm afraid that is what we will see a lot of! Our land, roads and creeks are going to be damaged beyond repair by this developer.

Please demand an extensive drainage plan for the entire drainage/flooding inclusive of the entire path through Ellis County.

Can the Ellis County Landfill handle the trash from this many homes? The Sherriff this many calls? The Palmer School?

Please attend to this matter immediately.

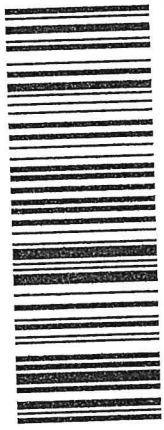
Respectively submitted,



Charles Keller

972/979-7457

*E Keller*  
15710 Union Hill Rd  
Emmets TX 75119



7022 0410 0000 9492 3876

NORTH TEXAS TX 750  
21 DEC 2022 PM 10 L

40:51 ZC 3302  
3300 0301  
**RECEIVED**  
DEC 27 2022  
TOEQUAIL CENTER  
CJ

*Office of the Chief Clerk, MC-185, TCEC  
P.O. Box 13087  
Austin TX 78711-308*

78711-308787



RDC 99



78711

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PALMER, TX  
75152  
DEC 21, 22  
AMOUNT

**\$4.60**

R2305K142764-10

1540 Union Hill Rd

~~Address~~

Ennis, TX 75119

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

RECEIVED

DEC 23 2022

Gau #

TCEQ OCC

27DEC '22 15:22

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located **1540 Union Hill Rd, Ennis, TX, 75119**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

I worry about water runoff, flooding/ drainage. The amount of water that a large treatment plant will generate is very concerning. The use of a treatment plant for these homes instead of individual septic systems inspected by the county is of great concern. I have never read plans for this type of plant before, but I read in the plan that they are using 4" lines with filters! That is the same size line my individual house uses for my two 500 gallon septic tank system. What is the reason this developer cannot follow current county rules?

I am concerned about the smells from a sewer treatment plant.

If there are 181 acres and there are 800 homes proposed and a sewage plant all on the same land? This certainly leaves very little space for people not to mention wildlife, even the bees will have a hard time finding a place in this crowded plan! Trash and traffic have not even come into my letter but they are also on my mind! Other issues of humans this close together- what will the impact be on schools, fire dept -which as you know is volunteers who already serve many people spread over many miles; and the Sherriff's Dept too!

A wildlife impact study should be required from the Petitioner. County Roads, Fire, & Sherriff depts. and Palmer School district should receive adequate monies from the Petitioner to fix the problems that are going to be caused in direct result of the "project" he proposes.

Respectively submitted,

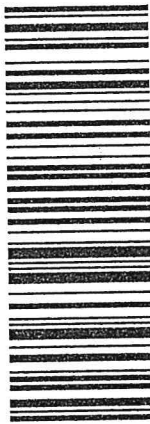
*Kassindra Keller*

**Kassindra Keller**

**972/741-3145**



S Keller  
1540 Union Hill Rd  
Crumis TX 75119



7022 0410 0000 9492 3883

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RECEIVED

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TCEQ MAIL CENTER

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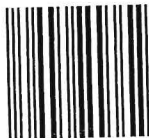
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Office of the Chief Clerk, MC-105, TCEQ  
P.O. Box 13087  
Austin TX 78711-3087

78711-308787



RDC 99



78711

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PALMER, TX  
75152  
DEC 21, 22  
AMOUNT

**\$4.60**

R2305K142764-10

## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, December 19, 2022 4:15 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044  
**Attachments:** MUD.docx

H

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**From:** carl\_kempf@yahoo.com <carl\_kempf@yahoo.com>  
**Sent:** Monday, December 19, 2022 3:59 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Carl Kempf

**EMAIL:** [carl\\_kempf@yahoo.com](mailto:carl_kempf@yahoo.com)

**COMPANY:**

**ADDRESS:** 1247 SHANKLE RD  
ENNIS TX 75119-0119

**PHONE:** 5042589638

**FAX:**

**COMMENTS:** Please see attached document

Office of the Chief Clerk, MC 105

TCEQ

P.O. Box 13087

Austin, TX 78711-3087

Re: Petition D-08222022-044; petitioned by Steve Selinger

Attn: Laurie Gharis, Chief Clerk

I request denial or a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, (Petitioner) whom filed a petition for creation of Shankle Road Municipal Utility (MUD). My property is located at 1247 Shankle Road, Ennis, TX 75119.

The creation of the Shankle Road Municipal Utility District (MUD) is deeply concerning to me as property owner. The creation of a commercial waste facility directly impacts the value of my property as a direct result of the proximity to my residence. Per the guidelines outlined in The Texas Water Code (Title 4, Chapter 54. Municipal Utility Districts) I also have concerns that the following provisions have been met:

Per Sec. 54.015 the estimated costs of the project are unrealistic given an insufficient water plan for the proposed community

Per the guidelines of Sec. 54.021 (b) (2) the reasonableness of projected construction costs cannot be evaluated as access to water for Shankle Road (MUD) has not been determined. The rural water providers do not have sufficient water resources to provide to an 800 home MUD community.

Providing water to a new development compromises the existing communities' access to water

Per 54.021 (d) the current roadways of FM 879 and Shankle road cannot support additional traffic.

The State and County have not sufficiently demonstrated the ability to maintain either roadway with the existing amount of traffic.

Carl Kempf

6738 FM 660

Ennis, TX 75119

January 3, 2023

REVIEWED

JAN 03 2023

By Gaw

H

Office of the Chief Clerk, MC 105

TCEQ

PO Box 13087

TCEQ OCC

Austin, TX 78711-3087

5JAN '23 10:27

In Re: Petition D-08222022-004, petitioned by Steve Selinger

Attn: Chief Clerk

I hereby request a contested case hearing for Petition D-08222022-004, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 6738 FM 660, Ennis, TX 75119.

The creation of this Utility District uniquely and adversely affects me in the following ways:

\*Emergency Services – The Garrett and Bristol fire departments will not be equipped to handle the additional services, manpower and equipment needed for adequate fire protection for the additional developments. Even if the Petitioner donates land for a new Fire Station (which he has not) additional equipment and manpower will be needed. This cost will be passed on to the current residents in the towns and Emergency Services Districts.

\*Safety/Crime – The additional low-cost housing developments create additional threats of theft, vandalism and additional crime that will create added burden to the Ellis County Sheriff's Department. This is a major concern of protection for all residents of Ellis County

\* Smells/Odors from sewer treatment plant – submitted plans by Petitioner are inadequate for the proposed development and additional developments that might be added to the District. An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of crop contamination downstream.

\*Traffic – the development will create congestion on all surrounding roads. 800 homes equal approximately 1600 additional cars every day.

\*Annexation of land by District – it is feasible that the Petitioner could annex additional land, adjoining or not, to be added to the District.

Respectfully submitted,

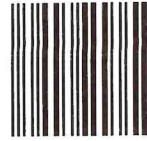
A handwritten signature in black ink that reads "Michael Kilpatrick". The signature is written in a cursive, flowing style.

George Michael Kilpatrick

903-390-3153



RDC 99



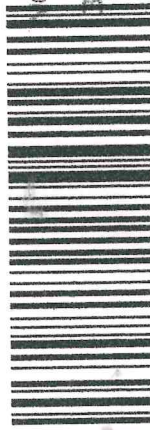
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PALMER, TX  
75152  
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AMOUNT

**\$7.85**

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**CERTIFIED MAIL**



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ORTH TEXAS TX 750  
3 JAN 2023 PM 2 L

Mr. Michael Kilpatrick  
6738 Fm 660  
Ennis, TX 75119



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2023 JAN - 5 AM 9:55  
CHIEF CLERKS OFFICE

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Office of the Chief Clerk, MC105  
TCEQ  
PO Box 13087  
Austin, TX 78711-3087

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6738 FM 660

Ennis, TX 75119

January 3, 2023

**REVIEWED**

JAN 11 2023

By Gcw H

TCEQ OCC

9 JAN '23 14:56

Office of the Chief Clerk, MC 105

TCEQ

PO Box 13087

Austin, TX 78711-3087

In Re: Petition D-08222022-004, petitioned by Steve Selinger

Attn: Chief Clerk

I hereby request a contested case hearing for Petition D-08222022-004, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 6738 FM 660, Ennis, TX 75119.

The creation of this Utility District uniquely and adversely affects me in the following ways:

\*Emergency Services – The Garrett and Bristol fire departments will not be equipped to handle the additional services, manpower and equipment needed for adequate fire protection for the additional developments. Even if the Petitioner donates land for a new Fire Station (which he has not) additional equipment and manpower will be needed. This cost will be passed on to the current residents in the towns and Emergency Services Districts.

\*Safety/Crime – The additional low-cost housing developments create additional threats of theft, vandalism and additional crime that will create added burden to the Ellis County Sheriff's Department. This is a major concern of protection for all residents of Ellis County

\* Smells/Odors from sewer treatment plant – submitted plans by Petitioner are inadequate for the proposed development and additional developments that might be added to the District. An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of crop contamination downstream.

\*Traffic – the development will create congestion on all surrounding roads. 800 homes equal approximately 1600 additional cars every day.

\*Annexation of land by District – it is feasible that the Petitioner could annex additional land, adjoining or not, to be added to the District.

Respectfully submitted,

A handwritten signature in cursive script that reads "Rhonda Kilpatrick". The signature is written in black ink and is positioned above the printed name.

Rhonda Kilpatrick

903-390-2049



ASPCA



R Kilpatrick  
6738 Fm 660  
Emis, TX 75119-0167

CERTIFIED MAIL



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3 JAN 2023 PM 7 L

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JAN 09 2023

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*The Office of the Chief Clerk, MC 105  
TCEQ  
PO Box 13087  
Austin, TX 78711-3087*

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JAN 03, 23  
AMOUNT  
\$7.85  
R2305K142764-10

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Margaret Krajca  
2372 Crisp Rd  
Ennis, Tx

2022 DEC 22 AM 9: 57

CHIEF CLERKS OFFICE

REVIEWED

DEC 22 2022

By AK

H

75119  
December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 2372 Crisp Rd.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

I have a cattle business on 150 acres and have lived on my property for 65 years now. I have frontage road on Crisp and Christian rd and have always maintained my property. Ellis County has grown too big too fast and the result of it has created environmental issues for the county. My pasture backs to Village Creek and in the last couple of years have seen this beautiful county become very filthy with the increase of low income houses in the area. When it rains the creek is overflowing into my pasture with a lot of trash flowing down into the trinity. The amount of trash is unbelievable. I am 85 years old and I am having a harder time bending over to pick up other people's trash in my ditches. I am afraid that this 800 house community will just make things worse and increase my taxes in addition to making the traffic worse on my county road. The speed limit is 35 but every one fly down it and I am afraid I will get hit one day.

Respectively submitted,

Margaret Krajca  
972-878-6149



## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, December 22, 2022 10:07 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

H

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**From:** rzmolik@sbcglobal.net <rzmolik@sbcglobal.net>  
**Sent:** Thursday, December 22, 2022 8:10 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Renate Kriska

**EMAIL:** [rzmolik@sbcglobal.net](mailto:rzmolik@sbcglobal.net)

**COMPANY:**

**ADDRESS:** 8122 FM 879  
PALMER TX 75152-9121

**PHONE:** 9725711713

**FAX:**

**COMMENTS:** I would like to request a hearing for this permit. The area is not in a position to support this level of infrastructure, in many ways. Start with traffic, 879 is already overly patched and has a steady traffic flow, adding 800 homes on Shankle equating to 1600+ additional drivers will lead to extensive and accelerated road wear and tear, on a road that already has significant wear and tear. Shankle road requires a complete overhaul and then you have traffic merging from Shankle to 879, I can see congestion there during busy periods. Additional traffic means more auto

accidents for this area, which is going to be county resources, Sheriff, etc. These areas outside city limits already have to wait on resources depending on where the closest one is in the county. By increasing traffic flow, Ellis county can expect to have more resources needed for the area. Ellis county tax payers do not want to see taxes increase and this is exactly what this traffic increase is going to do, for road maintenance and resource use for accidents and emergencies at the housing development itself, not to mention additional emergency personnel in the form of Fire departments. Next issue, the school district. My mortgage value goes up every year, think we all saw a significant increase this last year especially. Residents in the Palmer ISD district would be the ones hit with additional higher school taxes on homes and land in the area. Again we are seeing taxes going up. The school itself can in no way accommodate this number of new kids. Have you ever drove 813 into Palmer in the morning for student drop off or afternoon for pickup? I have, It's a complete nightmare, one lane road in, one lane road out. Traffic backs up already from the stop sign all the way down to almost downtown. I don't want to imagine the traffic nightmare with adding hundreds of new cars in a short timespan. The school itself would have to be greatly expanded or completely rebuilt, all 3 campuses, Elementary, middle school, and high school. Again, taxes are going to come into play. The housing development itself won't cover these costs, it's going to have to come from tax payers who do not want higher taxes for this. People making this decision need to go to the school at about 720 am, try to get to each campus in your car and then look at the building sizes, I can not and do not want to imagine the complete chaos of traffic and overhaul this small district is going to need. Lastly, people live in areas like 879 and Shankle road to get out from under big neighborhoods. We like our space, our natural landscapes, plenty of wildlife still live in the trees and small forests in the area from deer, bob cats, coyotes, foxes, I've seen them all. Don't dump processed waste into their streams. Kids in this area still explore, still trek through dried or wet streams, it's not fair to now dump wastes into these places. Those that have these streams run through their properties will have to contend with smell, with not being able to venture into these areas due to what is in the water. Livestock will drink this water, is that how you want meat on your table fed and watered? This development is trying to be put in a place that just cannot absorb the impact it would have to not only current residents, who will fund much of this through higher taxes over the years to come, but also the schools, which are in no way able to take on this influx of traffic and students.

## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 21, 2022 9:38 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

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**From:** rzmolik@sbcglobal.net <rzmolik@sbcglobal.net>  
**Sent:** Wednesday, December 21, 2022 7:16 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Renate Kriska

**EMAIL:** [rzmolik@sbcglobal.net](mailto:rzmolik@sbcglobal.net)

**COMPANY:**

**ADDRESS:** 8122 FM 879  
PALMER TX 75152-9121

**PHONE:** 9725711713

**FAX:**

**COMMENTS:** Please deny the Shankle road MUD permit. The area is not in a position to support this level of infrastructure, in many ways. Start with traffic, 879 is already overly patched and has a steady traffic flow, adding 800 homes on Shankle equating to 1600+ additional drivers will lead to extensive and accelerated road wear and tear, on a road that already has significant wear and tear. Shankle road requires a complete overhaul and then you have traffic merging from Shankle to 879, I can see congestion there during busy periods. Additional traffic means more auto

accidents for this area, which is going to be county resources, Sheriff, etc. These areas outside city limits already have to wait on resources depending on where the closest one is in the county. By increasing traffic flow, Ellis county can expect to have more resources needed for the area. Ellis county tax payers do not want to see taxes increase and this is exactly what this traffic increase is going to do, for road maintenance and resource use for accidents and emergencies at the housing development itself, not to mention additional emergency personnel in the form of Fire departments. Next issue, the school district. My mortgage value goes up every year, think we all saw a significant increase this last year especially. Residents in the Palmer ISD district would be the ones hit with additional higher school taxes on homes and land in the area. Again we are seeing taxes going up. The school itself can in no way accommodate this number of new kids. Have you ever drove 813 into Palmer in the morning for student drop off or afternoon for pickup? I have, It's a complete nightmare, one lane road in, one lane road out. Traffic backs up already from the stop sign all the way down to almost downtown. I don't want to imagine the traffic nightmare with adding hundreds of new cars in a short timespan. The school itself would have to be greatly expanded or completely rebuilt, all 3 campuses, Elementary, middle school, and high school. Again, taxes are going to come into play. The housing development itself won't cover these costs, it's going to have to come from tax payers who do not want higher taxes for this. People making this decision need to go to the school at about 720 am, try to get to each campus in your car and then look at the building sizes, I can not and do not want to imagine the complete chaos of traffic and overhaul this small district is going to need. Lastly, people live in areas like 879 and Shankle road to get out from under big neighborhoods. We like our space, our natural landscapes, plenty of wildlife still live in the trees and small forests in the area from deer, bob cats, coyotes, foxes, I've seen them all. Don't dump processed waste into their streams. Kids in this area still explore, still trek through dried or wet streams, it's not fair to now dump wastes into these places. Those that have these streams run through their properties will have to contend with smell, with not being able to venture into these areas due to what is in the water. Livestock will drink this water, is that how you want meat on your table fed and watered? This development is trying to be put in a place that just cannot absorb the impact it would have to not only current residents, who will fund much of this through higher taxes over the years to come, but also the schools, which are in no way able to take on this influx of traffic and students.

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Todd & Jennifer Krueger  
714 Trojacek Rd.  
Ennis, Texas 75119

2022 DEC 21 PM 1:17  
December 19, 2022  
CHIEF CLERKS OFFICE

REVIEWED

DEC 21 2022

By Gar H

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, Texas 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised on this hearing request. Our property is located at 714 Trojacek Rd, Ennis, Texas 75119.

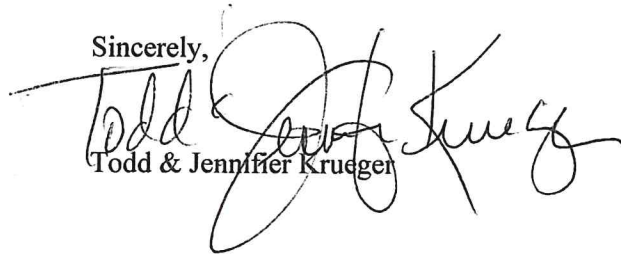
The creation of this Utility District uniquely and adversely affects me in the following ways:

The creek bed that Mr. Selinger intends to dispose of the treated sewer water from his intended sewer treatment plant is not a running creek. It is usually a dry creek unless heavy rains occur. Once heavy rains occur, there will be only predominantly running in the creek, which is approximately 100 yards from my property. This sewage and odor from the treatment plant will adversely affect us, our children/grandchildren and animals from use as it will be continually full of this treated sewer runoff. This will also adversely affect the value of our property.

I would strongly suggest that the State of Texas send a representative to inspect the surrounding neighborhood from the intended MUD as I believe our area does not have the infrastructure that would be conducive to a MUD and will negatively impact the property values of the community.

I am also concerned that Mr. Selinger has not reached out to the community to discuss or alleviate any concerns to the impacted neighbors.

Sincerely,

  
Todd & Jennifer Krueger



CERTIFIED MAIL

S Krueger  
714 Tmjack  
EM: S TX 75119



7022 1670 0001 5390 8185



RDC 99



78711

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FORM LETTER  
EM: S, TX  
DEC 19, 22  
AMOUNT  
\$7.85  
R2304M115704-89

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 21 PM 1:17

CHIEF CLERKS OFFICE

Office of the Chief Clerk, Mc 105  
TC&C  
P.O. Box 13087  
Austin, TX 78711-3087

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DEC 21 2022  
MAIL CENTER

78711-3087



590 Trojacek Rd  
Ennis, TX 75119

REVIEWED

DEC 23 2022

By         

H



CHIEF CLERKS OFFICE

2022 DEC 23 AM 10:06

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 590 Trojacek Road, Ennis, Texas, 75119.

The creation of this Utility District uniquely and adversely affects my property and family. Some of these issues include the consequences of water runoff, flooding and drainage, odors from a sewer treatment plant, wildlife impact, trash and debris clutter, traffic increase without adequate roads, emergency services burden, and overall safety of my family.

The water runoff is a concern for all surrounding property owners as an inadequate drainage plan was submitted by the Petitioner. This would drastically impact my land, animals, and family.

Flooding and drainage inadequacies are a major concern. My land is just west of Shankle Road, and there is no submitted drainage plan. An extensive drainage plan should be demanded for the entire drainage/flooding inclusive of the entire path through Ellis County.

Odors from a sewer treatment plan would drastically affect my family's quality of life. The submitted plans by the Petitioner are inadequate for the proposed development and additional developments the developer may add to the District. An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of crop contamination downstream.

The proposed development is and historically has been a nesting ground for wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain. An extensive wildlife impact study should be provided from the Petitioner. This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock.

Developing property with such a high density of housing creates excessive amounts of trash, debris and clutter throughout the surrounding properties. The petitioner has not addressed the negative impact of excessive waste to surrounding properties and debris to the landfill.

The development will create congestion on all surrounding roads. Eight hundred homes equals approximately 1600 additional cars every day on roads that were not meant to support this number of people. The traffic and

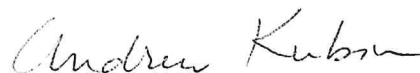
congestion would greatly affect my family's quality of life as well as create additional expense for road maintenance. The additional households will create an estimated 1040 students for the Palmer ISD which only has two elementary schools. This creates a huge burden on all property owners in Palmer ISD.

The Garrett and Bristol fire departments will not be equipped to handle the additional services, manpower and equipment needed for adequate fire protection for the additional developments. Even if the Petitioner donates land for a new Fire Station, which has not be proposed, equipment and manpower will be needed. This cost will be passed on to the current residents in the surrounding towns and Emergency Services Districts.

These additional low-cost housing developments create additional threats of theft, vandalism, and additional crimes that will create additional burdens to the Ellis County Sheriff's Department. This is a major concern of protection for all residents of Ellis County. The safety of my family is my highest priority.

I appreciate your attention to this matter for the health, safety and well-being of my family and our land.

Respectively submitted,

A handwritten signature in cursive script that reads "Andrew Kubin".

Julie and Andrew Kubin

469-337-7635

Andrew Kubin  
590 Trojacek Rd  
Emmets, TX 75119

Office of the Chief Clerk, MC-105, TCEA  
PO Box 13087  
Austin, Texas 78711-308

CHIEF CLERKS OFFICE

2022 DEC 23 AM 10:06

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

# PRIORITY MAIL EXPRESS®

## FLAT RATE ENVELOPE

FROM: United States Postal Service  
 CARR: E487670400US 0914  
 TRKF: 12/23/2022  
 RCD: 0914

CLRK: CHRIS JACKSON  
 TO: CHIEF, CLERK  
 BDG: F  
 PKG: 1  
 PCS: 1



RTE: MSC: 105  
 CHIEF, CLERK

This package is made from post-consumer waste. Please recycle - again.



CUSTOMER SERVICE CENTER  
 FROM: Prattville  
 PHONE (467) 337-1635

Andrew Kabin  
 590 Joyale Rd  
 Emms, TX 75119

SIGNATURE REQUIRED: Your meter must contain the "Signature Required" tool. The meter is not valid for use until the signature is entered. The meter will not print a label until the signature is entered. The Postal Service will leave the address label and recipient or other secure location without attempting to obtain the addressee's signature or delivery.  No Signature Delivery (delivered next business day)  
 Sunday/Holiday Delivery Required (additional fee, where available)  
 \*Refer to USPS.com or local Post Office for availability.

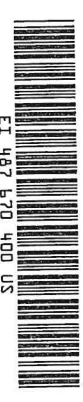
TO: Prattville AL PHONE: 1 \_\_\_\_\_

Office of the Chief Clerk, WC-105, TEEDA  
 P.O. Box 13687  
 Austin, TX  
 ZIP 78711-3687

For Pickup or USPS Tracking™, visit USPS.com or call 800-232-0111.  
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78711 R2304P118983-88

SHIPMENT INFORMATION		SHIPMENT SERVICE SELECTION		SHIPMENT COSTS	
PO ZIP Code (04000001)	12/21/22	Service Date (04000001)	12/21/22	Postage	\$ 27.40
Date Accepted (04000001)	12/21/22	Scheduled Delivery Time	05:00 PM	Insurance Fee	\$
Time Accepted	141	Return Receipt Fee	\$	Live Animal Transportation Fee	\$
Special handling charge	\$	Total Postage & Fees	\$		
Weight	1.00 lbs	Signature/Insured Premium Fee	\$		
Rate	\$	Accompanying Employee Initials			
Delivery Method (04000001)	PM	Delivery Method (04000001)	PM	Employee Signature	
Delivery Method (04000001)	PM	Delivery Method (04000001)	PM	Employee Signature	



UNITED STATES POSTAL SERVICE  
 OFFICE

Janice Landsfeld  
6547 FM 879  
Ennis, TX 75119

December 19, 2022

Mailed via Certified Letter

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk:

This letter is being sent to request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County, in Texas.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **6547 FM 879, Ennis Texas 75119**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- **Odor concerns**
  - **The impact it will have on the wildlife**
- **Volunteer Emergency Services are not equipped to handle the population**
  - **Drilling wells will deplete the natural spring to my property**

Sincerely,



Janice Landsfeld

972-875-5443

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:32  
CHIEF CLERKS OFFICE

REVIEWED

DEC 23 2022

By 

H



Ms. Janice Landfeld  
6547 FM 879  
Ennis, TX 75119-1098

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 22 PM 2:26

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FORM LETTER  
ENNIS, TX  
75119-1098  
DEC 20, 22  
AMOUNT  
**\$7.85**  
R2304M115704-06

CERTIFIED MAIL

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE



7022 1670 0001 5390 8520

CHIEF CLERKS OFFICE

*Office of the Chief Clerk, MC 105*

*TCEQ*

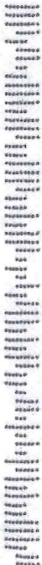
*P.O. Box 13087*

*Austin, Texas 78711-3087*

DEC 22 2022

TULSA MAIL CENTER  
BC

78711-308787



560 Chmelar Rd  
Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 23 2022  
GCW H

TCEQ OCC

In Re: Petition D-08222022-044, petitioned by Steve Selinger

27DEC '22 15:23

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 560 Chmelar Rd. Fourmile Creek runs across my entire property.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

1. The identified creek at the site location is actually not a creek, but a watershed slope and overflow from uphill ponds. The potential for 500,000 gallons per day discharge is actually being dumped into the road drainage ditch, which eventually will find its way to the more defined "Fourmile Creek" approximately .5 miles away.
2. The immediate property across the road and down hill from the site is owned by Charlie Pouzar. The property will not shed the water from the development but rather become a muddy boggy pasture which will breed a massive mosquito population in the spring and summer.
3. In the event the sewer treatment system fails, it will dramatically affect the livestock and horses in the area downstream from the development site and cause sewer odor. Livestock that drink contaminated water can easily develop Leptospirosis, Pythiosis, Fusobacterium, Campylobacter, and Anthrax. There is a residence 300ft from the Charlie Pouzar property line and will be affected by the odors, mosquitoes, and potential diseases also.
4. Fourmile creek is a water shed and normally is dry year round. The lay of the land does not support this slow water drainage supply and will environmentally change "Fourmile Creek" into a virus and bacteria breeding ground with stagnant water. It will depend upon a 2" plus rainfall to wash out the stagnant water and then the process will start all over again. An Extensive Regional Impact Study and hydraulic analysis regarding adequate water volume and flow throughout the region should be demanded from the Petitioner.
5. An extensive drainage plan should be demanded for the entire drainage/flooding inclusive of the entire path through Ellis County. My barn and shop could be affected with fast runoff from the streets without water retention ponds. "Fourmile Creek" which is a normally dry creek will respond entirely different to a 3" per hr. rainfall event and will not act as a retention creek.
6. An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of crop contamination downstream.
7. Developing property with such a high density of housing creates excessive amounts of trash, debris and clutter throughout the surrounding properties. The petitioner has not addressed the negative impact of excessive waste on surrounding properties and debris to the landfill.
8. This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock. An extensive wildlife impact study should be provided and demanded from the Petitioner.

*Dana Langer*

Respectfully submitted  
Dana Langer  
214-477-7165  
danalanger@ymail.com



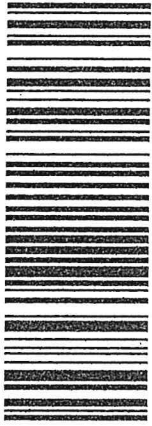


Dana Langer  
560 Chmelar Rd  
Ennis, TX 75119

22:51 22:03027

000 0301

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
**CERTIFIED MAIL**



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FORM LETTER  
ENNIS, TX  
75119  
DEC 21, 22  
AMOUNT

**\$7.85**

R2304M113118-12

Office of the Chief Clerk, MC105

TRER  
PD Box 13087  
Austin, TX 78711-3087

78711-3087



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 21 PM 1:18

CHIEF CLERKS OFFICE

December 19, 2022

Emil and Judy Langer  
947 Shankle Road  
Ennis, Texas 75119

REVIEWED

DEC 21 2022

1 Gov H

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, Texas 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised on this hearing request. My property is located at 947 Shankle Road.

The creation of this Utility District uniquely and adversely affects me in the following ways:

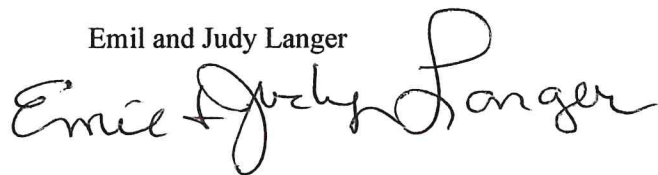
Our property and residence are located approximately 200 yards from the proposed MUD site. The published amount of sewage runoff of 5,000 gallons a day will eventually run into our creek which is approximately 300 yards from our residence. This creek is usually a dry creek. We have issues over the odor and runoff into this creek as well as the sewage runoff into the ditches in front of our homes when heavy rains floods the creek over Shankle Road.

This project, if allowed, will most certainly negatively impact the property values in this area.

Mr. Selinger does have the right to use his property in any way he wishes, however, the proposed MUD will have a negative impact on the surrounding neighbors. The owners of the properties around the proposed site have rights too, such as NO sewage water and NO odor in the air from the proposed sewage treatment plant. It is hard for us to imagine that TCEQ would agree that another landowner be allowed to infringe on their neighbors in this fashion.

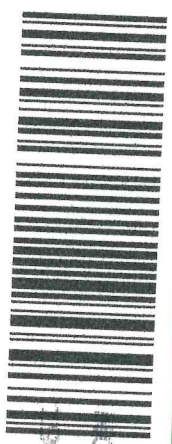
Sincerely,

Emil and Judy Langer



E. Langer  
947 Shankle Rd  
Emis, TX 75119

UNITED STATES MAIL



7022 1670 0001 5390 8193



RDC 99



78711

POST LETTER  
EMIS, TX  
75119  
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AMOUNT  
**\$7.85**  
R2304M115704-89

Office of the Chief Clerk, ME 105  
TCCEQ  
P.O. Box 13887  
Austin, TX 78711-3887

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QUALITY

78711-3887



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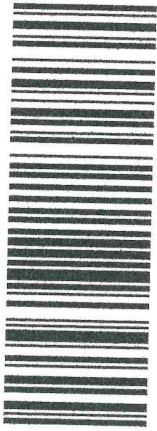
  
Phillip and Dana Langer  
560 Chmelar Road  
Ennis, Texas 75119

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DEC 23 2022

TCEQ MAIL CENTER

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Austin, TX 78711-3087



Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TEXAS  
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ON ENVIRONMENTAL  
QUALITY

2022 DEC 23 AM 9:56

CHIEF CLERKS OFFICE

Petition D-08222022-044, petitioned by Steve Selinger

I request a contested case hearing on the above petition.

My property has "Fourmile Creek" which under the petition above could potentially receive treated sewer water which runs across my entire property. My concerns are as follows

1. The identified creek at the site location is actually not a creek, but a watershed slope and overflow from uphill ponds. The potential for 500,000 gallons per day discharge is actually being dumped into the road drainage ditch, which eventually will find its way to the more defined "Fourmile Creek" approximately .5 miles away.
2. The immediate property across the road and down hill from the site is owned by Charlie Pouzar. The property will not shed the water from the development but rather become a muddy boggy pasture which will breed a massive mosquito population in the spring and summer.
3. In the event the sewer treatment system fails, it will dramatically affect the livestock and horses in the area downstream from the development site and cause sewer odor. Livestock that drink contaminated water can easily develop Leptospirosis, Pythiosis, Fusobacterium, Campylobacter, and Anthrax. There is a residence 300ft from the Charlie Pouzar property line and will be affected by the odors, mosquitoes, and potential diseases also.
4. Fourmile creek is a water shed and normally is dry year round. The lay of the land does not support this slow water drainage supply and will environmentally change "Fourmile Creek" into a virus and bacteria breeding ground with stagnant water. It will depend upon a 2" plus rainfall to wash out the stagnant water and then the process will start all over again. An Extensive Regional Impact Study and hydraulic analysis regarding adequate water volume and flow throughout the region should be demanded from the Petitioner.
5. An extensive drainage plan should be demanded for the entire drainage/flooding inclusive of the entire path through Ellis County. My barn and shop could be affected with fast runoff from the streets without water retention ponds. "Fourmile Creek" which is a normally dry creek will respond entirely different to a 3" per hr. rainfall event and will not act as a retention creek.
6. An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of crop contamination downstream.
7. Developing property with such a high density of housing creates excessive amounts of trash, debris and clutter throughout the surrounding properties. The petitioner has not addressed the negative impact of excessive waste on surrounding properties and debris to the landfill.
8. This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock. An extensive wildlife impact study should be provided and demanded from the Petitioner.

Phillip Langer BMSG  
214-406-0504  
[Planger70@yahoo.com](mailto:Planger70@yahoo.com)  
TECL 26767



REVIEWED

DEC 23 2022

BY 

H

**PE Electrical Consulting Inc.**  
Phillip Langer  
560 Chmelar Road  
Ennis, Texas 75119

**RECEIVED**  
DEC 23 2022  
TCED MAIL CENTER  
AJ



RDC 99



78711

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FCM LETTER  
ENNIS, TX  
DEC 21, 22  
AMOUNT  
**\$7.85**  
R2304M13118-12

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE  
**CERTIFIED MAIL**



7022 1670 0001 5390 7271

Office of the Chief Clerk, MC 125  
TCED  
PO BOX 13D 87  
Austin, TX, 78711-3087

78711-3087



CHIEF CLERKS OFFICE  
DEC 23 AM 9:57  
ON THE TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

## Christina Bourque

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**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, January 10, 2023 3:47 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044

H

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**From:** lawsdanny@sbcglobal.net <lawsdanny@sbcglobal.net>  
**Sent:** Tuesday, January 10, 2023 10:13 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** DR. Danny Blayne Laws

**EMAIL:** [lawsdanny@sbcglobal.net](mailto:lawsdanny@sbcglobal.net)

**COMPANY:**

**ADDRESS:** 7550 FM 660  
ENNIS TX 75119-0132

**PHONE:** 9729211729

**FAX:** 9728756790

**COMMENTS:** Attn: Chief Clerk, I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County. I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 7550 FM 660, Ennis, TX 75119. I request denial of the creation of Shankle Road MUD. This MUD will have severe impacts on the local ecology, wildlife, roads, municipalities, and schools. The downstream effects of this development need to be carefully studied,



and a storm water mitigation plan needs to be developed. This development has the potential to contaminate vital farmland and local flora, fauna and Apiculture. Volunteer Emergency Services are not equipped to handle the additional number of new structures and occupants that are being proposed in this high density subdivision. Emergency preparedness and infrastructure should be properly studied prior to allowing this development. Our county roads are not equipped to handle the increased volume of traffic that will be travelling on them daily to and from this proposed development. In closing, I this project would have life changing negative effects on persons, emergency services, schools, municipalities, flora, fauna and Apiculture. This petition should be denied. Respectively submitted, D. Blayne Laws, MD

145 Chmelar Rd.  
Ennis, TX 75119

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TEXAS  
COMMISSIONAL  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:14  
CHIEF CLERKS OFFICE

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **145 Chmelar Rd. Ennis, Texas 75119.**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- **Prone flooding to the area additional runoff could potentially cause a flood hazard to residents**
- **Area is majority farmland "Treated" waste water discharge to creek/land could potentially negatively impact the livestock and wildlife that are raised or habitat the area-a thorough study needs to be completed to ensure safety of our animals**
- **Odor potential for the area**
- **Area already sees illegal dumping-assurance with added homes/residents that all waste will be disposed of properly and will not have increased environmental impact to the land**

Respectively submitted,



Scott Laza

972-935-8069

REVIEWED

DEC 23 2022

By 

H

S. LAZA

145 Chanceler Rd

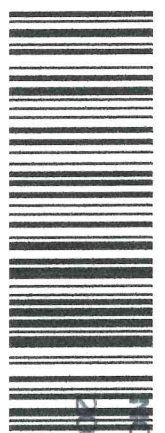
Ennis, TX 75719

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2022 DEC 22 PM 2: 24

CHIEF CLERKS OFFICE

CERTIFIED MAIL



7022 0410 0003 4688 5396



RDC 99



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FCM LETTER  
ENNIS, TX  
DEC 20, 22  
AMOUNT

\$4.60

R2304M113349-03

OFFICE OF THE CHIEF CLERK, MC-105, TCEQ

P.O. Box 13087

AUSTIN, TX 78711-308

DEC 22 2022

AMOUNT

78711-308787



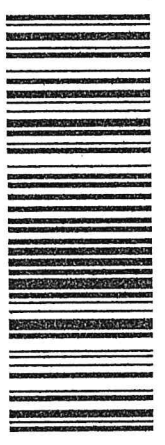


Bethyn Macaule  
8950 FM 660  
Ennis, TX 75119

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 22 PM 2:26

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE  
**CERTIFIED MAIL**



7022 1670 0001 5390 8278

CHIEF CLERKS OFFICE

Office of the Chief Clerk, ME 105  
TCEQ

P O Box 13087  
Frusio, TX 78711-3087

78711-3087



M 21

RDC 99



78711

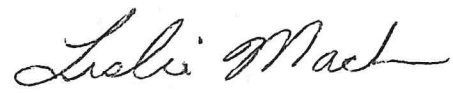
U.S. POSTAGE PAID  
FCM LETTER  
ENNIS, TX  
75119  
DEC 20, 22  
AMOUNT  
**\$7.85**  
R2304M113118-12



I am concerned about the inadequate drainage from the proposed District's water runoff and the wastewater discharge from the planned water treatment plant. My property where I live is south and downstream and this water will flow into the creek that runs across my property and cause extensive flooding onto my property due to the increased amount of water flowing from the proposed District. This affects the health of domestic animals and the wildlife that live along this creek. I have cattle that graze on the pasture along this creek and also many other domestic animals which include goats, horses, geese and chickens. I am also concerned about the affects this will have on the health of the wildlife that live along and in this creek which includes rabbits, armadillos, skunks, deer, cranes, owls and many more. I also have stock ponds stocked with fish. If the creek floods over its banks and the water from runoff will run into the stock ponds adversely affecting the fish. We eat the meat from my cattle that graze on the grass and the fish caught from my ponds. I am very concerned how this would adversely affect my family's health. I am not only concerned about how this effects myself and my property but also how it affects my neighbors and those further downstream. An extensive drainage plan should be done for the entire path though Ellis County. An environmental study should be done to show the effects of excessive water generated by the propose District has on wildlife and crops downstream. I am also concerned about the odors the sewer treatment plant will cause. It also concerns me that the proposed District would have rights outside of its boundaries and could take other land around it. I have not only the above concerns but also concerns of increased trash that the large number of homes concentrated in one area will cause in my area, the wildlife that will be forced to relocate off the proposed District's property for which a wildlife impact study should be done, additional traffic on area roads, additional households that would burden the schools, additional emergency services such as fire department which is voluntary and the increased policing needed by the sheriff's department. I am concerned that the cost for these additional services will have to be passed down to me and the people who live around the proposed District.

**Respectfully submitted,**

**Leslie Mach**

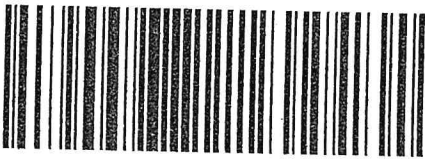
A handwritten signature in cursive script that reads "Leslie Mach". The signature is written in black ink and is positioned between the printed name and the phone number.

**972-351-6471**



Leslie Marshall  
803 Chmolar Rd.  
Emis, Tx. 75119

7022 1670 0001 5390 8285



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
**CERTIFIED MAIL**

2103 2  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2012 DEC 22 PM 2:24

Office of the Chief  
Clerk, MC-105  
GENERAL OFFICE

TCEQ

P.O. Box 13087

Austin, Tx. 78711-3087

77 MAR 2012 03:05:51  
NORTH TEXAS TX 750



RDC 99



78711

FOR LETTER  
EVALUATION  
DEC 19, 2012  
AMOUNT  
**\$7.85**  
R2304M113349-03

1228112  
D

**Ellie Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Friday, December 23, 2022 7:58 AM  
**To:** Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number D08222022044

---

**From:** lnmach01@yahoo.com <lnmach01@yahoo.com>  
**Sent:** Friday, December 23, 2022 7:31 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Leslie Mach

**EMAIL:** [lnmach01@yahoo.com](mailto:lnmach01@yahoo.com)

**COMPANY:**

**ADDRESS:** 803 CHMELAR RD  
ENNIS TX 75119-0048

**PHONE:** 9723516471

**FAX:**

**COMMENTS:** I request denial of the creation of Shankle Road MUD. I am concerned about the increased amount of water runoff this will cause and the large amount of waste water that will be discharged from the sewer plant which I am also against. All this water will flow downstream and into the creek that runs across my property causing flooding issues where I live. This would be detrimental to the health of my family, my livestock and all the wildlife living here. The sewer plant would smell and I am concerned about breathing the contaminated air and what adverse health effects this

would cause for myself, my family and neighbors. With so many people concentrated in one small area there would be an increased amount of trash around, too many people on area roads causing traffic problems, increased crime and overloading of the school system, sheriffs department and fire department. The demand for water would increase significantly and cause inadequate water supply for those living around this area. The cost for all these additional services will have to be passed on to all those living in this area and I am against the increased cost it would impose on property owners.

803 Chmelar Road

Ennis, Tx 75119

December 19, 2022

REVIEWED

DEC 20 2022

By GCH H

Office of the Chief Clerk, MC 105

TCEQ

P.O. Box 13087

Austin, Tx 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 803 Chmelar Road, Ennis, Tx 75119 which is along the corner of Shankle Road and Chmelar Road approximately one quarter of a mile south of the proposed District.

The Creation of this Utility District uniquely and adversely affects me in the following ways:

27DEC 22 10:28

TCEQ OCC

I am concerned about the inadequate drainage from the proposed District's water runoff and the wastewater discharge from the planned water treatment plant. My property where I live is south and downstream and this water will flow into the creek that runs across my property and cause extensive flooding onto my property due to the increased amount of water flowing from the proposed District. This affects the health of domestic animals and the wildlife that live along this creek. I have cattle that graze on the pasture along this creek and also many other domestic animals which include goats, horses, geese and chickens. I am also concerned about the affects this will have on the health of the wildlife that live along and in this creek which includes rabbits, armadillos, skunks, deer, cranes, owls and many more. I also have stock ponds stocked with fish. If the creek floods over its banks and the water from runoff will run into the stock ponds adversely affecting the fish. We eat the meat from my cattle that graze on the grass and the fish caught from my ponds. I am very concerned how this would adversely affect my family's health. I am not only concerned about how this effects myself and my property but also how it affects my neighbors and those further downstream. An extensive drainage plan should be done for the entire path though Ellis County. An environmental study should be done to show the effects of excessive water generated by the propose District has on wildlife and crops downstream. I am also concerned about the odors the sewer treatment plant will cause. It also concerns me that the proposed District would have rights outside of its boundaries and could take other land around it. I have not only the above concerns but also concerns of increased trash that the large number of homes concentrated in one area will cause in my area, the wildlife that will be forced to relocate off the proposed District's property for which a wildlife impact study should be done, additional traffic on area roads, additional households that would burden the schools, additional emergency services such as fire department which is voluntary and the increased policing needed by the sheriff's department. I am concerned that the cost for these additional services will have to be passed down to me and the people who live around the proposed District.

**Respectfully submitted,**

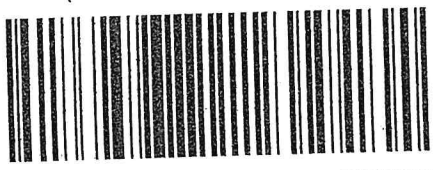
**Nancy Mach**

A handwritten signature in black ink that reads "Nancy Mach". The signature is written in a cursive style with a long, sweeping tail on the "h".

**972-351-6472**

Nancy Mack  
803 Chandler Rd.  
Farm's, Tx 75719

7022 1670 0001 5390 8661



**CERTIFIED MAIL**  
PLEASE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

RECEIVED  
DEC 27 2022



ENNS TX  
75719  
DEC 19 9:22  
AMOUNT  
**\$7.85**  
R2304M113349-03

TCEQ MAIL CENTER

Office of the Chief Clerk, MC105

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

TCEQ DEC  
27DEC 22 10:28

7871133087 8012



## Ellie Guerra

---

**From:** PUBCOMMENT-OCC  
**Sent:** Friday, December 23, 2022 7:58 AM  
**To:** Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number D08222022044

H

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**From:** lnmach01@yahoo.com <lnmach01@yahoo.com>  
**Sent:** Friday, December 23, 2022 7:08 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Nancy Mach

**EMAIL:** [lnmach01@yahoo.com](mailto:lnmach01@yahoo.com)

**COMPANY:**

**ADDRESS:** 803 CHMELAR RD  
ENNIS TX 75119-0048

**PHONE:** 9723516472

**FAX:**

**COMMENTS:** I request denial of the creation of Shankle Road MUD. And I request a contested hearing. All the property owners on and near Shankle Road that this MUD would effect were not properly notified of this proposed MUD or of the waste water treatment plant that they propose which I am also against. They are planning to build so many homes in this small space that the runoff from them and the huge amount of water that will be discharged from the sewer plant will cause drainage and flooding issues downstream into the creek that runs across my property. It will cause flooding of



this waste water in my area and the surrounding area where my cows graze, where the rest of my animals & my family live and where many wildlife animals live. I am concerned about the adverse health effects this will cause on everything living in this area. You cannot contain the odor that this sewer plant will cause and who wants to breathe that kind of air quality all the time. I am concerned about the wildlife that live in and around the creek area and the fruit and nut trees that grow here. The flooding would also cause sewer water to contaminate my stock ponds stocked with fish that we eat. I request a regional drainage plan for all downstream creeks and rivers. There would be an increased amount of traffic on our roads and I am concerned for the safety of my grandkids. What kind of homes will be built in one small area. No one knows what type of people will be housed in this MUD. I am concerned about the amount of trash and debris that will clutter our area due to so many people moving about. I am concerned about the increase in crime, the increase in people will over burden the schools, the more demand for water cannot be adequately addressed without affecting everyone in our area, the roads will not hold up to increased traffic and the increased need for fire and police protection that will be needed would burden the sheriffs department. My family and those who live around this area will have to foot the bill for all these additional services needed. I do not want any more increased taxes or cost when we are already facing an increased cost of living with everything from food and utilities continually going up. Restating I request denial of the creation of Shankle Road MUD.

## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 21, 2022 9:29 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

H

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**From:** teewielovesdogs@gmail.com <teewielovesdogs@gmail.com>  
**Sent:** Tuesday, December 20, 2022 10:33 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Terri Macon

**EMAIL:** [teewielovesdogs@gmail.com](mailto:teewielovesdogs@gmail.com)

**COMPANY:**

**ADDRESS:** 320 LOG CABIN RD  
ENNIS TX 75119-8809

**PHONE:** 9722683070

**FAX:**

**COMMENTS:** I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County. I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. There are negative environmental aspects of the proposed development. Water runoff- should concern all surrounding property owners as an inadequate drainage plan was submitted by the Petitioner. It did not consider any drainage/water runoff to the East and South affected landowners.

·Flooding/drainage - should concern all landowners downstream from Shankle Road to Novy Road to 4-mile creek to Village Cr to Telico and on to the Trinity River. An extensive drainage plan should be demanded for the entire drainage/flooding inclusive of the entire path through Ellis County. · Smells/ Odors from sewer treatment plant – submitted plans by Petitioner are inadequate for the proposed development and additional developments the developer may add to the District. An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of crop contamination downstream. · Wildlife Impact- The proposed development is and historically has been a nesting ground for wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain. \*Schools- The additional households will create an estimated 1040 students (2 elementary schools) for the Palmer ISD. This creates a huge burden on all property owners in Palmer ISD. \*Emergency Services - The Garrett and Bristol fire departments will not be equipped to handle the additional services, manpower and equipment needed for adequate fire protection for the additional developments. Even if the Petitioner donates land for a new Fire Station (which he hasn't) additional equipment and manpower will be needed. This cost will be passed on to the current residents in the towns and Emergency Services Districts.

REVIEWED

7615 FM 879  
Palmer, TX 75152

DEC 23 2022

Gar H

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TCEQ OCC  
28DEC '22 10:01

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **7615 FM 879 Palmer Texas, 75152**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

***Water runoff***- My property is the lowest point where Shankle Rd dead ends all the drainage water from Shankle Rd, flows down on to my property and floods FM879 and my farm/ranch land. Please consider all surrounding property owners as an inadequate drainage plan was submitted by the Petitioner. It did not consider any drainage/water runoff to the East and South affected landowners.

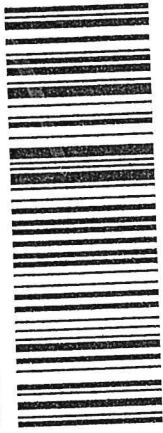
***Flooding/drainage is a particular concern*** because of the water directly runs on to my property downhill/stream. During heavy rains the flooding covers the county road and this MUD district of 811 lots on 181 acres would further increase the flooding. **Please consider an extensive drainage plan should be demanded for the entire drainage/flooding inclusive of the entire path through Ellis County.**

***Smells/ Odors from sewer treatment plant*** - I live less than ¼ mile from the submitted plans by Petitioner I believe for 811 homes the planned sewer treatment planet is inadequate for the proposed development and additional developments the developer may add to the district. Currently the size of the city of Palmer covers 3.151 sq miles and houses a population of ~2461 people, and this MUD district is proposing 811 lots on 181 acres, a sewer treatment plant would need to be much larger to accommodate the possible ~2400 persons living in the proposed district. **Please consider An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of crop contamination downstream.**

Respectively submitted,  
Stuart and Sheryl Maddox 214-934-1874/214793-4457

Start Maddox  
7615 FM 879  
Palmer, TX 75152



7022 0410 0000 9492 3784

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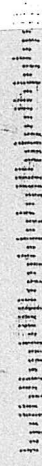
DEC 28 2022

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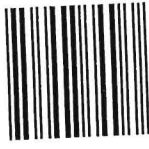
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Office of the Chief Clerk, MC 105  
TCEQ  
PO Box 13087  
Austin, TX 78711-3087

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75152  
DEC 20, 22  
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RDC 99

7400 FM 879  
Palmer, TX 75152

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED

DEC 20 2022

By GCW H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 7400 FM 879, Palmer, TX. My Ellis County Property IDs are 244296 and 263589.

The creation of this Utility District uniquely and adversely affects me in the following ways:

1. The proposed MUD has the potential to impact the drainage of our land. We are approximately 0.6 miles due west of the proposed development area and water flowing through our properties could be adversely affected during construction of the MUD and upon completion of the MUD. We would like to see an extensive drainage plan and a drainage study performed by an independent party.
2. The proposed MUD plans provide little information regarding the mitigation of odors and overall environmental impact. We would like an extensive environmental impact study conducted to ascertain the effects of excessive water discharged by the MUD.
3. We enjoy a variety of wildlife visiting our properties and are concerned about how the MUD will affect the various wildlife utilizing the location of the proposed MUD and subsequent drainage areas. We would like to see a wildlife impact study performed.
4. We strive to keep litter and debris off of the roadside along our properties. However, the large scale of the proposed development could significantly increase the litter and debris we experience. We would like the Petitioner to explicitly address this issue.
5. The density of the proposed development will create enormous stresses on our roads, schools, safety, crime, and noise levels. We have shown the county that we are against such high-density developments in a rural area, and we request that you consider the negative effect this development will have on our daily lives.

Respectively submitted,

*Kevin T. Malone*

*Anne Marie Malone*

Kevin and Anne Marie Malone

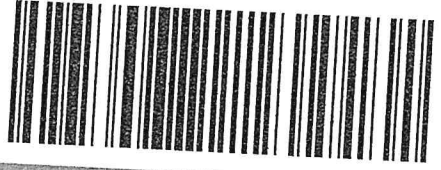
505-234-4142

27DEC 22 10:24  
TCEQ OGC

**M**

Mr. & Mrs. Kevin M. Kohn  
7400 FM 879  
Palmer TX 75152

72022 1670 0001 5390 8568



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE  
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TOP REPORT



RDC 99



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DEC 20, 22  
AMOUNT

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Office of the Chief Clerk  
MC-105, TCEC RECEIVED  
P.O. Box 13087  
Austin, TX  
78711-308

DEC 27 2022  
TCEC MAIL CENTER  
BC

**Ellie Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Friday, December 23, 2022 1:04 PM  
**To:** Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number D08222022044

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**From:** malonekt1985@gmail.com <malonekt1985@gmail.com>  
**Sent:** Friday, December 23, 2022 9:19 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Kevin Malone

**EMAIL:** [malonekt1985@gmail.com](mailto:malonekt1985@gmail.com)

**COMPANY:**

**ADDRESS:** 7400 FM 879  
PALMER TX 75152-9105

**PHONE:** 5052344142

**FAX:**

**COMMENTS:** 1. The proposed MUD has the potential to impact the drainage of our land. We are approximately 0.6 miles due west of the proposed development area and water flowing through our properties could be adversely affected during construction of the MUD and upon completion of the MUD. We would like to see an extensive drainage plan and a drainage study performed by an independent party. 2. The proposed MUD plans provide little information regarding the mitigation of odors and overall environmental impact. We would like and extensive environmental impact study



conducted to ascertain the effects of excessive water discharged by the MUD. 3. We enjoy a variety of wildlife visiting our properties and are concerned about how the MUD will affect the various wildlife utilizing the location of the proposed MUD and subsequent drainage areas. We would like to see a wildlife impact study performed. 4. We strive to keep litter and debris off of the roadside along our properties. However, the large scale of the proposed development could significantly increase the litter and debris we experience. We would like the Petitioner to explicitly address this issue. 5. The density of the proposed development will create enormous stresses on our roads, schools, law enforcement, and emergency services. We are also concerned about increased noise levels and property taxes. We have shown the county that we are against such high-density developments in a rural area, and we request that you consider the negative effect this development will have on our daily lives.

200 W Denton St  
Palmer, TX 75152

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 23 2022  
Gee H

TCEQ OCC

27DEC '22 15:06

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 200 W Denton St.

The creation of this Utility District uniquely and adversely affects me in the following way(s):  
There will be an increase in traffic along the two lane road through town. I moved to a small town because I suffer from severe anxiety and large groups of people and traffic are one of my biggest stresses. During the school year, traffic on our two lane road stops and causes issues because of where our schools are located. It is a nightmare trying to get anywhere before school starts and when it has been let out.

This is such a high density of housing, I demand an extensive environmental impact study to be done.

We appreciate and respect our open land and all the wildlife that lives on it and because of our brush cover, extensive trees, and ponds this area is a nesting ground for our wildlife. This development will destroy a natural habitat.

Has the developer put forth plans regarding the sewage system? Houses are going up everywhere, but the sewage system does not get updated which causes issues for everyone, especially the current residents.

What is the developers plan for the negative impact of excessive waste and debris to put landfill? Again, we appreciate and respect our land and with the amount of debris, trash, and clutter that will surely come with a new housing development how is this going to impact the residents, our town, and the land.

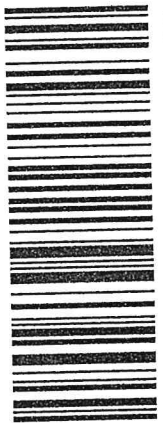
Adequate and well thought out plans should be submitted by the developer before anything is even considered.

Respectively submitted,

**Krista Medici Martin**

682-229-9367





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RECEIVED

DEC 27 2022

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P.O. Box 13087

Austin, TX 78711-3087

Office of the Chief Clerk, MC 105

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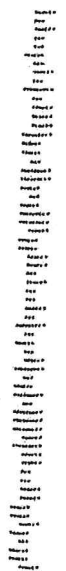
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U.S. POSTAGE PAID  
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PALMER, TX  
75152  
DEC 21, 22  
AMOUNT

\$4.60

R2305K1 42764-10

78711-3087



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

**BERNARD D. MARTINEK**

2605 St. Andrews Drive  
Ennis, Texas 75119

(972) 875-7206

(972) 310-1776 cell

DEC 21 PM 1: 22

CHIEF CLERKS OFFICE

December 18, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P. O. Box 13087  
Austin, TX 78711-3087

REVIEWED

DEC 21 2022

Gau H

In RE: PetitionD-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D--8222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at the intersection of Shankle Road and FM 660 with an address of 8880 FM 660. This is a farm consisting of 145 acres located on both sides of Shankle Road.

The creation of this Utility District uniquely and adversely affects me in the follow ways:

Four Mile Creek flows through the middle of my farm. The flow of the waste water through this creek from the sewage treatment plant will be a costly detriment to the operation, use, and enjoyment of my farm. This creek is normally dry with no water flowing through the creek. I regularly drive across this creek with my tractors and ATV in order to access both sides of my farm. With the flow of the waste water, I will no longer be able to do so without the expense of installing a bridge to cross the creek.

Worse still, my cows also graze this creek and regularly cross the creek in order to graze pastures located on opposite sides of the creek. I do not want my cows drinking the sewage water that will be flowing in the creek. This will necessitate me installing fencing on both sides of the creek to keep them out of the creek and drinking the sewage water. This will be a very costly expense.

I know from personal experience from serving as a Director of Rice Water Supply and Sewer Service Corporation and Hardin County WCID that raw sewage sometimes escapes waste treatment plants and enters into the discharge streams. I do not want this contamination flowing through my creek.

I request that and extensive drainage plan for all affected streams and creeks in Ellis County be provided before this development is approved. This should include a study of the negative effects that approval of this Utility District that will result if approval is granted.

Sincerely,

Bernard D. Martinek

cc: Senator Bob Hall  
Representative Brain Harrison

Bernard Martinek  
2605 St. Andrews Drive  
Ennis, TX 75119

Office of the Chief Clerk, MC 105  
TCEQ  
P. O. Box 13087  
Austin, TX 78711-3087

CHIEF CLERKS OFFICE

2022 DEC 21 PM 1: 22

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

**BERNARD D. MARTINEK**  
2605 St. Andrews Drive  
Ennis, Texas 75119  
(972) 875-7206  
(972) 310-1776 cell

TCEQ 000  
21DEC '22 10:24

December 18, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P. O. Box 13087  
Austin, TX 78711-3087

**REVIEWED**  
DEC 21 2022  
By GCW H

In RE: PetitionD-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D--8222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at the intersection of Shankle Road and FM 660 with an address of 8880 FM 660. This is a farm consisting of 145 acres located on both sides of Shankle Road.

The creation of this Utility District uniquely and adversely affects me in the follow ways:

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I request that and extensive drainage plan for all affected streams and creeks in Ellis County be provided before this development is approved. This should include a study of the negative effects that approval of this Utility District that will result if approval is granted.

Sincerely,

Bernard D. Martinek

cc: Senator Bob Hall  
Representative Brain Harrison

Bernard Martinek  
2605 St. Andrews Drive  
Emmis, TX 75119

NORTH TEXAS TX PSDDC  
DALLAS TX 750  
19 DEC 2022 PM 9:11



DEC 21 2022

TCEQ  
ES

TCEQ 000  
21DEC '22 10:25

Office of the Chief Clerk, MC 105  
TCEQ  
P. O. Box 13087  
Austin, TX 78711-3087

78711-3087



Dylan Martinek  
8880 FM 660  
Ennis, TX 75119

REVIEWED  
DEC 23 2022  
Gau H

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TCEQ OCC  
27DEC '22 15:27

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **8880 FM 660, ENNIS, TX.**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- A.) My family has operated a 250 acre farm at the corner of Shankle Road and FM660 for more than 80 years. Four-mile Creek runs through the middle of our farm. It has always been a dry creek for as long as we have owned the property. We have a sizable herd of cattle that graze our property on both sides of this creek. The proposed MUD includes a request to discharge an average of 500,000 thousand gallons of water a day into Four-mile Creek will change this from a dry creek to a creek that always contains water. This will divide our farm into two separate sections. This would significantly disrupt our cattle operation. Furthermore, we would not want our cattle drinking the sewer discharge and would have to construct fences to restrict access to the waste water running through the property.
- B.) Shankle road is a chip and seal road that is not designed to support the traffic load imposed by a subdivision of this size. Short of the Developer being required by the State to improve Shankle road to a properly engineered road capable of supporting the subdivision's traffic load, the proposed subdivision imposes a maintenance burden to the local residents at the benefit of the Developer. In incorporated areas the installation of proper roads to support additional traffic imposed by new development is typically the responsibility of the Developer. The same standard should apply here.
- C.) I am pro development and fully understand the need for affordable housing. However, *all* development should be done responsibly and to an acceptable minimum standard. The proposed Shankle Road MUD does not meet this criterion. The proposed MUD is surrounded by inadequate roads, has excessive density, discharges a disruptive amount of wastewater to neighboring agricultural properties, includes no amenities for the residents, has minimal fire, police, ambulance support, etc. A responsibly executed development plan gives adequate consideration to these elements and should result in the creation of a community that provides a quality standard of living for its residents. This development plan appears to give priority to the benefit of the Developer with the absolute minimum consideration given to the standard of living for its residents and neighbors.

Respectively submitted,

Dylan Martinek

Dylan Martinek

214.433.0792



DYLAN MARTINEK  
8880 FM 660  
FENNIS, TX

12:51 ZC 3302Z  
000 0301

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
**CERTIFIED MAIL** 210



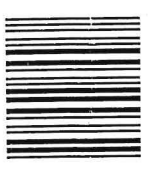
7021 2720 0002 6541 7899

TCEQ MC-105  
P.O. Box 13087  
JUSTIN, TX 78711-3087

78711-3087



RDC 99



78711

U.S. POSTAGE PAID  
FIRST CLASS PERMIT NO. 100  
DALLAS, TX  
DEC 21, 22  
AMOUNT

**\$4.60**

**RECEIVED**

R2305P-150751-07

DEC 27 2022

TCEQ MAIL CENTER  
CJ

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Emil Martinek  
8046 FM 660  
Ennis, TX 75119

2022 DEC 21 PM 1:15

December 19, 2022

Office of the Chief Clerk, MC 105 CHIEF CLERKS OFFICE  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED

DEC 21 2022

Gaw

H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I am sending this to request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 8046 FM 660, Ennis Texas 75119.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- Contamination to my ponds for drinking water for my cattle
- Flooding Down stream
- Drilling wells will deplete the natural spring to my property
- Contamination to my land for growth of crops
- Impact on wildlife

Respectively submitted,

*Emil J. Martinek*

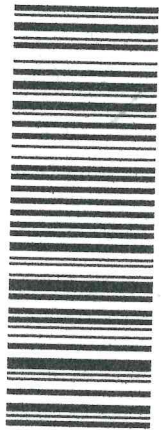
Emil J. Martinek

214-578-4679



Emil J. Martinek  
8046 Farm 660  
Emis, TX 75119-0158

CELTIC MAIL



7022 2410 0002 1894 3203



RDC 99



78711

U.S. POSTAGE PAID  
FORM LETTER  
EMIS, TX  
DEC 19, 22  
AMOUNT

**\$7.85**

R2304M115704-89

RECEIVED

DEC 21 2022

TCEO MAIL CENTER  
MI

P.O. Box 13084

Austin Tex 78117-3084

Office of the Chief Clerk MC 155

CHIEF CLERKS OFFICE

2022 DEC 21 PM 1:15

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

78711-308787



**Christina Bourque**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, January 11, 2023 11:31 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044

H

---

**From:** rcastlecontractors@gmail.com <rcastlecontractors@gmail.com>  
**Sent:** Tuesday, January 10, 2023 4:46 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME SHANKLE ROAD MUD OF ELLIS COUNTY**

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Ernest D MARTINEK

**EMAIL:** [rcastlecontractors@gmail.com](mailto:rcastlecontractors@gmail.com)

**COMPANY:**

**ADDRESS:** 2256 BELLS CHAPEL RD  
WAXAHACHIE TX 75165-6756

**PHONE:** 2143259087

**FAX:**

**COMMENTS:** Attn: Chief Clerk, I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County. I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 7998 FM 660, Ennis, TX 75119. My property is less than 1000 ft from the proposed developments south property line. An incomplete list of adjacent and affected landowners was included in the permit application. I was not notified. But my dad Emil Martinek

was. I am also an heir to his estate which adjoins the Petitioners south property line. I am a local developer and I am familiar with how a development impacts the surrounding environment. I request denial of the creation of Shankle Road MUD for the following reasons. 1) The application submitted has inaccurate information regarding drainage and water run-off calculation. A Drainage Impact Study and Flood Study should be furnished by the Petitioner for the entire pathway through Ellis County following to the Trinity River and down through the Houston/Harris County watershed. Also the submitted drainage plan does not account for any additional drainage and flooding on the South and East adjoining properties. 2) According to Chapter 39, Proper notice was not given to adjacent landowners and affected landowners downstream of the proposed wastewater treatment plant and proposed subdivision. It was listed in the wrong newspaper located in another city. The developers intentions are to remove all trees and natural grassland of the development. This site is historically used for migrant birds and roosting areas for local wildlife. This development impact on certain species of wildlife and their native environment are an absolute must for wildlife management decision makers. This new development may significantly impact the local wildlife and a Wildlife Impact Study combined with practices should be required to eliminate any negative impact. 3) The petitioner has not addressed the additional trash and garbage generated from the 811 homes slated for this development. The local landfill is near max capacity. Trash and additional construction debris will have a negative impact on the local Landfill. An Environmental Impact study should be required addressing any negative impact the development will generate. 4) The high density of homes will generate an additional 1600+ vehicles traveling on Shankle Rd. This amount of additional vehicles creates unsustainable traffic and unnecessary hazards on the roadways as to the residents in the area. A Traffic Impact Analysis and plan should be required to mitigate the dangers. The odors from the sewer treatment plant and pollution created by the additional traffic should be studied. An Environmental Impact Study should be furnished by the Petitioner and a plan created so that the surrounding residents, livestock and wildlife will not be negatively impacted by the creation of this MUD. 5) The developer as under estimated the development costs of the Waste Water Treatment Plant. The streets, utilities and excavation costs have been grossly under estimated. Current market pricing will calculate that the actual costs will be double of what the Developer has estimated and included in the permit application. A third party should review the projected development costs to make sure the Developer has the financial competence to complete the project. Respectively, Ernest Martinek 214-325-9087

Ernest Martinek  
2256 Bells Chapel Road  
Waxahachie, Texas 75165

December 19, 2022

Office of the Chief Clerk, MC 105

TCEQ

P.O. Box 13087

Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger.

REVIEWED

DEC 28 2022

By GCW A

TCEQ DEC

27DEC '22 14:51

**Attn: Chief Clerk**

I request a contested case hearing for the Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an Affected Landowner entitled to a contested case hearing on the issues raised in this hearing request. My property is a 2.1 portion of the 78.4-acre tract located at 7990 FM 660 Ennis, Texas identified on the Petition as Landowner #6 owned by Emil and Margaret Martinek. I am also the heir to the entire 78.4-acre tract. Our property is adjacent to the proposed development abutting the south property line of the proposed development.

The creation of this sub-division and Municipal Utility District uniquely and adversely affects me as a property owner and heir to additional land that is connected to the petitioned property. I will be directly affected in the following ways:

**-An adequate Drainage Plan** was NOT submitted by Petitioner. Water runoff is a major concern for flooding. The submitted drainage plan DOES NOT address excessive runoff and drainage for adjacent and downstream landowners. The submitted Drainage Plan by the Petitioner does not allow any solution for excessive runoff and potential flooding to all properties located south and east of the proposed Development. This development creates an unmanageable flow of water onto our property and adjoining property owners due to the amount of concrete covering the now natural terrain and landscape. The lack of a **Regional Drainage plan** for all properties affected in all directions including but not limited to all properties located downstream that will have to accept the additional flow of water in all named and unnamed creeks and rivers must be demanded, completed, and approved prior to ANY Petition approval. This development runoff creates health concerns due to unknown contaminated material and chemicals creating an environmental hazard not addressed by the Petitioner. An extensive Hazmat Study should be required to address this environmental concern.

**-Smell/ odor** from sewer treatment plant is a daily concern to persons as well as wildlife and livestock.

Ingestion of toxic substances is a major health concern that could cause serious illness and or death. A separate and Specific Environmental Impact study must be required for the safety and effects of the Plant **prior to any approval of the MUD permit.**

**-Water supply** will be affecting current residents due to the sheer number of structures and number of household occupants. A potential lack of water is a major concern for existing residents that currently reside in the immediate and surrounding areas. An extensive Study and **approved water plan** are and should be demanded by all local, county and state entities prior to any Petition approval. Water quality should be a top priority. Although water wells are commonly drilled for additional supply- drilling in this area would deplete and destroy surrounding underground springs which are currently located on our property.

**Wildlife Impact**-The proposed development is and historically has been a nesting ground for wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain. An extensive wildlife impact study should be provided and demanded from the Petitioner. This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock. A separate Wildlife Impact Study should be demanded and required. The study should be done on the impact this will have on the destruction of a major habitat for our wildlife. The Petition should be denied due to the impact on wildlife.

**Trash/Debris/clutter** -Developing property with such a high density of housing creates excessive amounts of trash, debris, and clutter throughout the surrounding properties. The petitioner has not addressed the negative impact of excessive waste on surrounding properties and debris to the landfill. This project would destroy the **Historical Nesting Ground** it currently provides to many types of wildlife. A separate Wildlife Impact Study should be required **prior to any approval of the Shankle Rd. MUD.** The study should be done on the impact this will have on the destruction of a major habitat for our wildlife.

**-Emergency Services will be strained.** Adding such a high density of homes is a major concern in getting fire and medical emergency services when needed. The Emergency Service providers in this area are not equipped to take on such an additional number of new structures and occupants. To do so, current residents would have to take on the additional cost of equipment and manpower to service such a large amount of new structures and occupants.

**Crime:** As history has shown, Low-cost housing developments create safety and crime issues. This has multiple impacts on current residents in the surrounding areas. A) Safety for human life, B) Loss of personal effects due to theft. C) Strain on emergency service.

In closing, there is no positive outcome of such an inadequate and destructive project to be allowed to move forward. This proposed project has given minimal planning and consideration to all the areas of negative impact. Such a project would have life changing negative effects on persons, emergency services, schools, water companies, debris, livestock, and wildlife.

This petition should be **denied** and stopped immediately in order to avoid unnecessary and deliberate harm to innocent people, wildlife, and livestock.

Respectively submitted,



Ernest Martinek

Affected Property Owner

214-325-9087



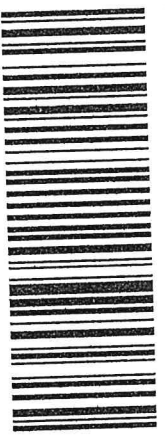
Ernestine M. ...  
2256 Bells Chapel Rd  
Wortham TX 7505

15:41 ZC 0302 RECEIVED

000 0301 DEC 27 2022

7050 MAIL CENTER  
CJ

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
**CERTIFIED MAIL**



7022 2410 0002 1894 275B



RDC 99



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U.S. POSTAGE  
FIRST CLASS PERMIT NO. 7571  
AUSTIN, TX  
\$7  
R2304P

Office of Chief Clerk, MCLIOS

TEEG

PO Box 13087

15 MAR 2022 10:51 AM  
NORTH TEXAS TX 750  
Austin, TX 78711-3087

Evan Martinek  
8820 Aviary Dr.  
McKinney, Texas 75070

December 19, 2022

Office of the Chief Clerk, MC 105

TCEQ

P.O. Box 13087

Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger.

**Attn: Chief Clerk**

I request a contested case hearing for the Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

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REVIEWED

DEC 23 2022

By \_\_\_\_\_

*MP*

A

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:30  
CHIEF CLERKS OFFICE

-**Smell/ odor** from sewer treatment plant is a daily concern to persons as well as wildlife and livestock.

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This petition should be **denied** and stopped immediately in order to avoid unnecessary and deliberate harm to innocent people, wildlife, and livestock.

Respectively submitted,



Evan Martinek

214-945-5585

Evon Martinek

8820 Aviony Drive

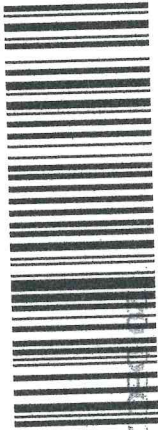
McKinney TX 75071

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 22 PM 2:26

CHIEF CLERKS OFFICE

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
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DEC 20 2022 PM 5



RDC 99



78711

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FCM LETTER  
WAXAHACHIE, TX  
75165  
DEC 20, 22  
AMOUNT  
**\$7.85**  
R2304P118983-88

2022 2410 0002 1894 2732

Office ofriet Clerk, NICRS

TCER

PO Box 13087

Austin TX 78711-3087

DEC 22 2022

78711-3087



Jacob Martinek  
8880 FM 660  
Ennis, TX 75119

REVIEWED

DEC 23 2022

Gan H

TCEQ OCC

27DEC '22 15:28

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **8880 FM 660, ENNIS, TX.**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

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Respectively submitted,

Jacob Martinek

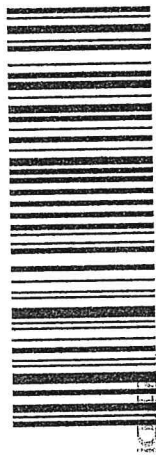
214.399.0565

JACOB MARTINEK  
8880 FM 660  
FENNIS, TX

82:51 ZI 0302Z

000 0301

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
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NORTH TEXAS CENTER



702J 2720 0002 654J 7905



RDC 99



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75225  
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R2305P150751-07

TCEQ MC-105  
P.O. Box 13087  
Austin, TX 78711-3087

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DEC 27 2022

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CJ

78711-3087



564 Shankle Road  
Ennis, TX 75119

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 23 2022  
BY AR A

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:02  
CHIEF CLERKS OFFICE

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **564 Shankle Road, Ennis, Texas 75119, which is less than 1 mile from the proposed MUD.**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

**Several of the many issues I would like for the TCEQ to consider would be the following:**

**Waste Water Runoff - This is within 1,000 feet from my property and the smell or odor from the sewage treatment plant that would pollute the clean country air that I've had for the past 50 years. A waste water drainage plan was NOT considered to the South and East of the petitioned MUD.**

**Wildlife Impact - The proposed development is and historically has been a nesting ground for wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. All species of ducks and geese and other birds are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain. An extensive wildlife impact study should be provided and demanded from the Petitioner. This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock.**

**Trash/Debris/clutter - Developing property with such a high density of housing creates excessive amounts of trash, debris and clutter throughout the surrounding properties. The petitioner has not addressed the negative impact of excessive waste to surrounding properties and debris to the landfill.**

**Traffic Concerns - Shankle road is a one road as it is. Because it is a country road and needs to stay a country road, the development will create congestion on all surrounding roads. 800 homes equal approximately 1600 additional cars every day that would impact the traffic concerns and safety concerns as well. Ridiculous.**



**Schools – The impact on the schools is a huge burden on property owners, school personnel and enrollment in the Ennis and Palmer ISD. Emergency Services from the area volunteer fire departments will be overwhelmed and not equipped to handle the additional services and protection as needed. The area residents do not want to obtain an additional cost. Safety and Crime are another issue of concern creating threats of theft, vandalism and additional crimes that will create additional burdens to the Ellis County Sheriff's Department.**

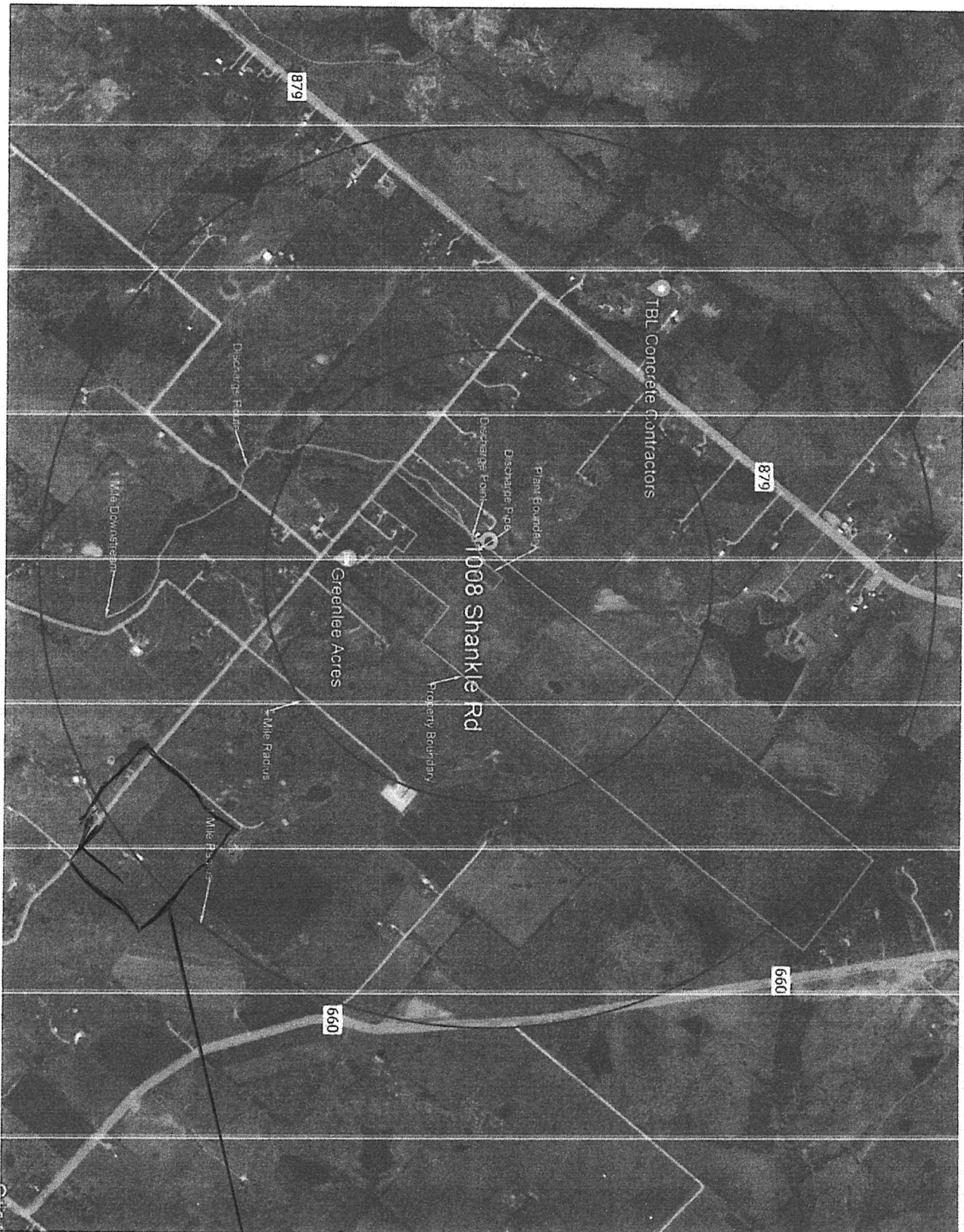
Respectively submitted,

*James Martinek*

*Brenda Martinek*

James Martinek

Brenda Martinek



my Property within 1 mile Radius

Date  
January 25, 2022

Drawn By  
CE

Scale  
1"=1600'

consulting environmental engineers, inc.  
 150 N. Harbor Drive - Suite 400 - P.O. Box 17401  
 Dallas, TX 75217  
 (214) 944-0700 Fax (214) 944-0712 email: ceinfo@ceeinc.org  
 registered firm #F-2232

Shankle Road WWTP  
 Stephen Selinger  
 Palmer, TX  
 Site Drawing

Sheet 006

FROM:

JAMES MARTINEK  
564 SHANKLE ROAD  
EUNIS, TX 75119

GENDED MAIL



7022 1670 0001 5340 8339

TO:

Office of Chief Clerk Me 105  
TCEQ  
P.O. Box 13087  
Austin TX 78711-3087



RDC 99



78711

U.S. POSTAGE PAID  
FORM 3849  
EUNIS, TX  
POSTAL SERVICE  
\$8.93  
R220011504089

TEXAS  
COMMISSION  
ON ENVIRONMENTAL

Utility Mailer  
10 1/2" x 16"

Ready Post

**Christina Bourque**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, January 3, 2023 2:10 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number WQ0015932001

Associate to D-08222022-044 (Creation of Shankle Road MUD of Ellis County)

H

---

**From:** emarti99@hotmail.com <emarti99@hotmail.com>  
**Sent:** Tuesday, January 3, 2023 12:30 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WQ0015932001

**REGULATED ENTY NAME** WAXAHACHIE 530 WWTP

**RN NUMBER:** RN111109971

**PERMIT NUMBER:** WQ0015932001

**DOCKET NUMBER:** 2021-1442-MWD

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SELINGER, STEPHEN

**CN NUMBER:** CN605818129

**FROM**

**NAME:** Jennifer MARTINEK

**EMAIL:** [emarti99@hotmail.com](mailto:emarti99@hotmail.com)

**COMPANY:**

**ADDRESS:** 2256 BELLS CHAPEL RD  
WAXAHACHIE TX 75165-6756

**PHONE:** 2147949037

**FAX:**

**COMMENTS:** I request a contested hearing. I am an affected landowner less than 1000 ft from the south property line of the proposed development. the permit application does not include me as an affected landowner and was not notified.

Other landowners within 1 mile of the property were not notified. I also request a public meeting and request denial of the creation of the Shankle Rd MUD and deny the wastewater permit.

**Ellie Guerra**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, January 3, 2023 2:10 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number WQ0015932001

Associate to D-08222022-044 (Creation of Shankle Road MUD of Ellis County)

H

---

**From:** emarti99@hotmail.com <emarti99@hotmail.com>  
**Sent:** Tuesday, January 3, 2023 12:30 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WQ0015932001

**REGULATED ENTY NAME** WAXAHACHIE 530 WWTP

**RN NUMBER:** RN111109971

**PERMIT NUMBER:** WQ0015932001

**DOCKET NUMBER:** 2021-1442-MWD

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SELINGER, STEPHEN

**CN NUMBER:** CN605818129

**FROM**

**NAME:** Jennifer MARTINEK

**EMAIL:** [emarti99@hotmail.com](mailto:emarti99@hotmail.com)

**COMPANY:**

**ADDRESS:** 2256 BELLS CHAPEL RD  
WAXAHACHIE TX 75165-6756

**PHONE:** 2147949037

**FAX:**

**COMMENTS:** I request a contested hearing. I am an affected landowner less than 1000 ft from the south property line of the proposed development. The permit application does not include me as an affected landowner and was not notified.

Other landowners within 1 mile of the property were not notified. I also request a public meeting and request denial of the creation of the Shankle Rd MUD and deny the wastewater permit.

Jennifer Martinek  
2256 Bells Chapel Rd.

Waxahachie, Texas 75165

December 19, 2022

Office of the Chief Clerk, MC 105

TCEQ

P.O. Box 13087

Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger.

DEC 20 2022  
Gen H

TCEQ OCC

27DEC '22 15:25

Attn: Chief Clerk

I request a contested case hearing for the Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an Affected Landowner entitled to a contested case hearing on the issues raised in this hearing request. My property is a 2.1 portion of the 78.4-acre tract located at 7990 FM 660 Ennis, Texas identified on the Petition as Landowner #6 owned by Emil and Margaret Martinek. I am also the heir to the entire 78.4acre tract. Our property is adjacent to the proposed development abutting the south property line of the proposed development. The creation of this sub-division and Municipal Utility District uniquely and adversely affects me as a property owner and heir to additional land that is connected to the petitioned property. I will be directly affected in the following ways:

**-An adequate Drainage Plan** was NOT submitted by Petitioner. Water runoff is a major concern for flooding. The submitted drainage plan DOES NOT address excessive runoff and drainage for adjacent and downstream landowners. The submitted Drainage Plan by the Petitioner does not allow any solution for excessive runoff and potential flooding to all properties located south and east of the proposed Development. This development creates an unmanageable flow of water onto our property and adjoining property owners due to the amount of concrete covering the now natural terrain and landscape. The lack of a **Regional Drainage plan** for all properties affected in all directions including but not limited to all properties located downstream that will have to accept the additional flow of water in all named and unnamed creeks and rivers must be demanded, completed, and approved prior to ANY Petition approval. This development runoff creates health concerns due to unknown contaminated material and chemicals creating an environmental hazard not addressed by the Petitioner. An extensive Hazmat Study should be required to address this environmental concern.



**-Smell/ odor** from sewer treatment plant is a daily concern to persons as well as wildlife and livestock.

Ingestion of toxic substances is a major health concern that could cause serious illness and or death. A separate and Specific Environmental Impact study must be required for the safety and effects of the Plant prior to any approval of the MUD permit.

**-Water supply** will be affecting current residents due to the sheer number of structures and number of household occupants. A potential lack of water is a major concern for existing residents that currently reside in the immediate and surrounding areas. An extensive Study and approved water plan are and should be demanded by all local, county and state entities prior to any Petition approval. Water quality should be a top priority. Although water wells are commonly drilled for additional supply- drilling in this area would deplete and destroy surrounding underground springs which are currently located on our property.

**Wildlife Impact**-The proposed development is and historically has been a nesting ground for wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain. An extensive wildlife impact study should be provided and demanded from the Petitioner. This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock. A separate Wildlife Impact Study should be demanded and required. The study should be done on the impact this will have on the destruction of a major habitat for our wildlife. The Petition should be denied due to the impact on wildlife.

**Trash/Debris/clutter** -Developing property with such a high density of housing creates excessive amounts of trash, debris, and clutter throughout the surrounding properties. The petitioner has not addressed the negative impact of excessive waste on surrounding properties and debris to the landfill. This project would destroy the **Historical Nesting Ground** it currently provides to many types of wildlife. A separate Wildlife Impact Study should be required **prior to any approval of the Shankle Rd. MUD**. The study should be done on the impact this will have on the destruction of a major habitat for our wildlife.

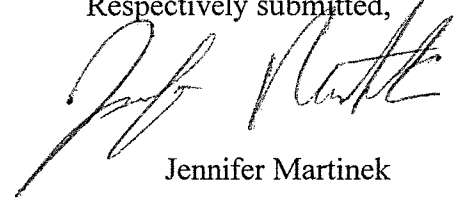
**-Emergency Services will be strained.** Adding such a high density of homes is a major concern in getting fire and medical emergency services when needed. The Emergency Service providers in this area are not equipped to take on such an additional number of new structures and occupants. To do so, current residents would have to take on the additional cost of equipment and manpower to service such a large amount of new structures and occupants.

**Crime:** As history has shown, Low-cost housing developments create safety and crime issues. This has multiple impacts on current residents in the surrounding areas. A) Safety for human life, B) Loss of personal effects due to theft. C) Strain on emergency service.

In closing, there is no positive outcome of such an inadequate and destructive project to be allowed to move forward. This proposed project has given minimal planning and consideration to all the areas of negative impact. Such a project would have life changing negative effects on persons, emergency services, schools, water companies, debris, livestock, and wildlife.

This petition should be **denied** and stopped immediately so to avoid unnecessary and deliberate harm to innocent people, wildlife, and livestock.

Respectfully submitted,

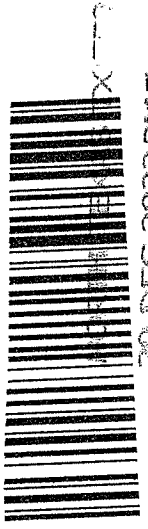
A handwritten signature in black ink, appearing to read "Jen Martinek", written in a cursive style.

Jennifer Martinek

Affected Property Owner

214-794-9037

Jennifer Markwick  
2256 Bells Chapel Rd  
Waxahachie TX 75165



7022 2410 0002 1894227491



RDC 99

78711

U.S. POSTAGE  
FCM LETTER  
WAXAHACHIE  
75165  
DEC 20, 22  
AMOUNT  
**\$7.8**  
R2304P1183

RECEIVED

DEC 27 2022

TOEQ MAIL CENTER

CJ

Office of Chief Clerk, MC 105

TOEQ

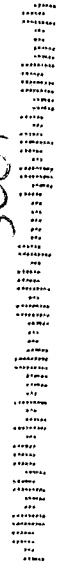
Po. Box 13087

Austin TX 78711-3087

TOEQ 000

27DEC '22 15:25

78711-308787



Leah Martinek  
216 Silver Spur Drive  
Waxahachie, Texas 75165

December 19, 2022  
Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

**REVIEWED**  
**DEC 28 2022**  
By GCW H

In Re: Petition D-08222022-044, petitioned by Steve Selinger.

TCEQ OCC  
27DEC '22 15:00

**Attn: Chief Clerk**

I request a contested case hearing for the Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an Affected Landowner entitled to a contested case hearing on the issues raised in this hearing request. I am an heir to a 2.1 portion of the 78.4-acre tract located at 7990 FM 660 Ennis, Texas identified on the Petition as Landowner #6 owned by Emil and Margaret Martinek. I am also the heir to the entire 78.4-acre tract. Our property is adjacent to the proposed development abutting the south property line of the proposed development. The creation of this sub-division and Municipal Utility District uniquely and adversely affects me as a property owner and heir to additional land that is connected to the petitioned property. I will be directly affected in the following ways:

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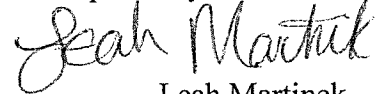
**-Emergency Services** will be strained. Adding such a high density of homes is a major concern in getting fire and medical emergency services when needed. The Emergency Service providers in this area are not equipped to take on such an additional number of new structures and occupants. To do so, current residents would have to take on the additional cost of equipment and manpower to service such a large amount of new structures and occupants.

**Crime-** As history has shown, Low-cost housing developments create safety and crime issues. This has multiple impacts on current residents in the surrounding areas. A) Safety for human life, B) Loss of personal effects due to theft. C) Strain on emergency service.

In closing, there is no positive outcome of such an inadequate and destructive project to be allowed to move forward. This proposed project has given minimal planning and consideration to all the areas of negative impact. Such a project would have life changing negative effects on persons, emergency services, schools, water companies, debris, livestock, and wildlife.

This petition should be **denied** and stopped immediately so to avoid unnecessary and deliberate harm to innocent people, wildlife, and livestock.

Respectively submitted,



Leah Martinek

214-325-9026

Leah McFarland  
216 Silver Spur  
Waxahachie TX 75165



7022 2410 0002 1894 2725



U.S. POSTAL  
SERVICE  
FIRST CLASS PERMIT  
NO. 75165  
WAXAHACHIE, TX  
75165  
DEC 20, 22  
AMOUNT  
**\$7.8**  
R2304P11896



RDC 99

78711

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DEC 27 2022

TCO MAIL CENTER

6

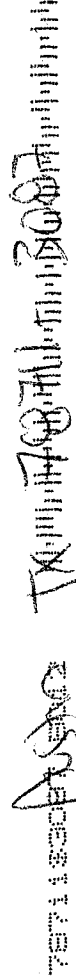
Office of Chief Clerk, MC 105

TCO

Po Box 13087

TCO DCC

27DEC '22 15:00



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 21 PM 1:16

Margaret Martinek  
8046 FM 660  
Ennis, TX 75119

December 19, 2022

Office of the Chief Clerk, ~~MCH~~ CHIEF CLERKS OFFICE  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED

DEC 21 2022

GCW H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I am sending this to request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 8046 FM 660. Part of my property will be adjacent to the petitioned property

The creation of this Utility District uniquely and adversely affects me in the following way(s):

1. I am greatly concerned with the impact on my livestock
2. Inadequate drainage causing flooding downstream directly impacts my property
3. Natural Spring drilling will disrupt all nearby farmer's supply
4. Disruption of natural and planted crop growth
5. Environmental impact on wild life and livestock

I am requesting your consideration in conjunction with all farmer's in Ellis County.

Respectively submitted,

*Margaret Martinek*

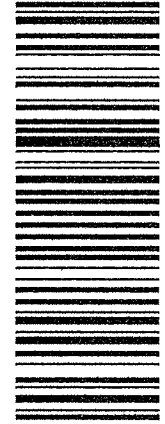
Margaret Martinek

214-399-8761



REGISTERED MAIL

Mrs Margaret Martinek  
8046 Fm 660  
Ennis, TX 75119



U.S. POSTAGE PAID  
FIRST CLASS  
ENNIS, TX  
75119  
DEC 19, 22  
AMOUNT

\$7.85

R2304M115704-89

78711

RDC 99

7022 2410 0002 1894 3173

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 19 PM 1:11  
CHIEF CLERKS OFFICE

RECEIVED

DEC 20 2022

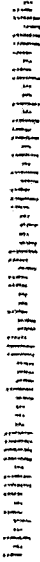
ICEQ MAIL CENTER  
AJ

Office of the Chief Clerk, MC 105  
TCEQ

P.O. Box 13087

Austin, Texas 78711-3087

78711-308787



REVIEWED

DEC 21 2022

GCW

H

December 19, 2022

670 Shankle Road  
Ennis, Texas 75119

Office of the Chief Clerk, MC 105  
TECQ  
P.O. Box 13087  
Austin, Texas 78711-3087

TCER OCC

21DEC '22 10:12

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located At 670 Shankle Road

The creation of this Utility District uniquely and adversely affects me in the following ways.

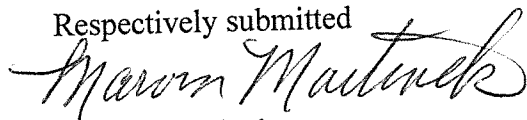
The property in the proposed MUD District is adjacent to my property for a distant of about 1/3 of a mile. The property is at a higher elevation than my property and as homes are built the ground will not soak in the water because of the yards and streets causing the water to flood my bottom land. The property on the north side is about 20 feet higher than my property causing the water to flow on to my property not to mention the trash that will be washed down,

The chemicals that people may use on their yards will flow into my pasture and this could effect my cattle as they may drink this runoff water off this property possibly killing my cattle.

The Mud District will effect the value of my property no one will want land next to the waste water plant because of the smell it may create.

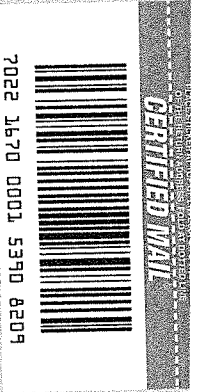
I ask that you not approve Mr. Selinger Petition D-08222022-044 for a Municipal Utility District.

Respectively submitted

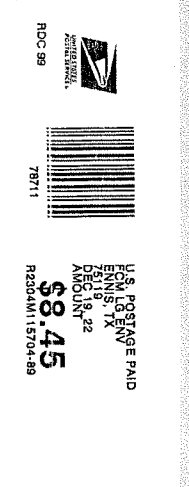


Marvin Martinek  
214-949-0328

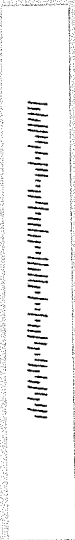
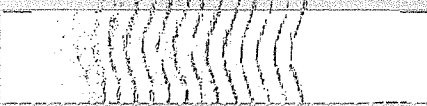
MAURIN MARTINEZ  
670 Shankle Rd  
Ennis, TX 75119



Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX. 78711-3087



RECEIVED  
DEC 21 2012  
TCEQ MAIL CENTER  
DA  
21 DEC '22 10:13



**Christina Bourque**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, January 11, 2023 11:36 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

H

**From:** ldgypearl@gmail.com <ldgypearl@gmail.com>  
**Sent:** Tuesday, January 10, 2023 10:26 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Mary Martinek

**EMAIL:** [ldgypearl@gmail.com](mailto:ldgypearl@gmail.com)

**COMPANY:**

**ADDRESS:** 3112 DANCY ST  
AUSTIN TX 78722-2217

**PHONE:** 5129700851

**FAX:**

**COMMENTS:** I request a contested case hearing for petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County. I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. Our family farm is located at 8880 FM660, Ennis, TX 75119. The creation of this utility district uniquely and adversely affects me in the following ways: 1) the potential flooding and runoff is a threat to our crops and livestock 2) the local water supply is not adequate to support the additional

development which would deplete the groundwater level in the area which would impact the natural springs throughout the area 3) destruction of natural wildlife habitat by the development as well as pushing predatory animals to surrounding properties requiring property owners to implement additional protections for our property and livestock 4) will cause our taxes to increase 5) negatively impacts existing infrastructure 6) increased costs to our farm to fence off creek from livestock as water will not be safe for them to consume, as well as need to build bridge to then connect our property which will be divided into two farms due to required new fencing 7) increase in traffic on already deteriorated roads 8) influx of students to schools from development 9) strain on emergency services 10) smells and odors from sewer treatment plant 11) trash/debris from construction

Ragen Martinek  
2256 Bells Chapel Road  
Waxahachie, Texas 75165

December 19, 2022  
Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

DEC 20 2022  
Gau H

TCEQ OCC  
27DEC '22 15:26

In Re: Petition D-08222022-044, petitioned by Steve Selinger.

Attn: Chief Clerk

I request a contested case hearing for the Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an Affected Landowner entitled to a contested case hearing on the issues raised in this hearing request. I am an heir to a 2.1 portion of the 78.4-acre tract located at 7990 FM 660 Ennis, Texas identified on the Petition as Landowner #6 owned by Emil and Margaret Martinek. I am also the heir to the entire 78.4-acre tract. Our property is adjacent to the proposed development abutting the south property line of the proposed development. The creation of this sub-division and Municipal Utility District uniquely and adversely affects me as a property owner and heir to additional land that is connected to the petitioned property. I will be directly affected in the following ways:

**-An adequate Drainage Plan** was NOT submitted by Petitioner. Water runoff is a major concern for flooding. The submitted drainage plan DOES NOT address excessive runoff and drainage for adjacent and downstream landowners. The submitted Drainage Plan by the Petitioner does not allow any solution for excessive runoff and potential flooding to all properties located south and east of the proposed Development. This development creates an unmanageable flow of water onto our property and adjoining property owners due to the amount of concrete covering the now natural terrain and landscape. The lack of a **Regional Drainage plan** for all properties affected in all directions including but not limited to all properties located downstream that will have to accept the additional flow of water in all named and unnamed creeks and rivers must be demanded, completed, and approved prior to **ANY** Petition approval. This development runoff creates health concerns due to unknown contaminated material and chemicals creating an environmental hazard not addressed by the Petitioner. An extensive Hazmat Study should be required to address this environmental concern.

-**Smell/ odor** from sewer treatment plant is a daily concern to persons as well as wildlife and livestock.

Ingestion of toxic substances is a major health concern that could cause serious illness and or death. A separate and Specific Environmental Impact study must be required for the safety and effects of the Plant **prior to any approval of the MUD permit.**

-**Water supply** will be affecting current residents due to the sheer number of structures and number of household occupants. A potential lack of water is a major concern for existing residents that currently reside in the immediate and surrounding areas. An extensive Study and **approved water plan** are and should be demanded by all local, county and state entities prior to any Petition approval. Water quality should be a top priority. Although water wells are commonly drilled for additional supply- drilling in this area would deplete and destroy surrounding underground springs which are currently located on our property.

**Wildlife Impact**-The proposed development is and historically has been a nesting ground for wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain. An extensive wildlife impact study should be provided and demanded from the Petitioner. This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock. A separate Wildlife Impact Study should be demanded and required. The study should be done on the impact this will have on the destruction of a major habitat for our wildlife. The Petition should be denied due to the impact on wildlife.

**Trash/Debris/clutter** -Developing property with such a high density of housing creates excessive amounts of trash, debris, and clutter throughout the surrounding properties. The petitioner has not addressed the negative impact of excessive waste on surrounding properties and debris to the landfill. This project would destroy the **Historical Nesting Ground** it currently provides to many types of wildlife. A separate Wildlife Impact Study should be required **prior to any approval of the Shankle Rd. MUD.** The study should be done on the impact this will have on the destruction of a major habitat for our wildlife.

-**Emergency Services** will be strained. Adding such a high density of homes is a major concern in getting fire and medical emergency services when needed. The Emergency Service providers in this area are not equipped to take on such an additional number of new structures and occupants. To do so, current residents would have to take on the additional cost of equipment and manpower to service such a large amount of new structures and occupants.

**Crime-** As history has shown, Low-cost housing developments create safety and crime issues. This has multiple impacts on current residents in the surrounding areas. A) Safety for human life, B) Loss of personal effects due to theft. C) Strain on emergency service.

In closing, there is no positive outcome of such an inadequate and destructive project to be allowed to move forward. This proposed project has given minimal planning and consideration to all the areas of negative impact. Such a project would have life changing negative effects on persons, emergency services, schools, water companies, debris, livestock, and wildlife.

This petition should be **denied** and stopped immediately so to avoid unnecessary and deliberate harm to innocent people, wildlife, and livestock.

Respectively submitted,

*Ragen Martinek*

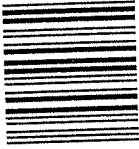
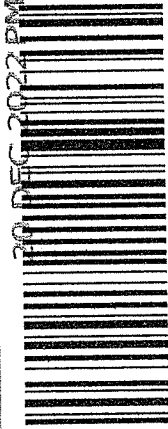
Ragen Martinek

214-325-9018



Ragen Macknack  
2250 Bell - Chapel Rd  
Waxahachie TX 75165

PLACE STICKER ON TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. HOLD AT POSTED LINE.  
CERTIFIED MAIL  
EAST TX



RDC 99

78711

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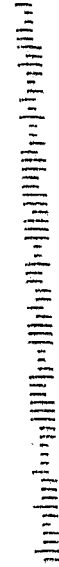
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Office of Chief Clerk MC 105  
TCEQ  
PO Box 13087  
Austin, TX 78711-3087

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78711-308767



Stacey Martinek  
8880 FM 660  
Ennis, TX 75119

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

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27DEC '22 15:28

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

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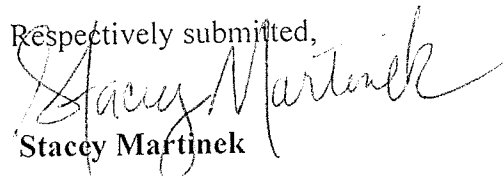
I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **8880 FM 660, ENNIS, TX.**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- A.) My family has operated a 250 acre farm at the corner of Shankle Road and FM660 for more than 80 years. Four-mile Creek runs through the middle of our farm. It has always been a dry creek for as long as we have owned the property. We have a sizable herd of cattle that graze our property on both sides of this creek. The proposed MUD includes a request to discharge an average of 500,000 thousand gallons of water a day into Four-mile Creek will change this from a dry creek to a creek that always contains water. This will divide our farm into two separate sections. This would significantly disrupt our cattle operation. Furthermore, we would not want our cattle drinking the sewer discharge and would have to construct fences to restrict access to the waste water running through the property.
- B.) Shankle road is a chip and seal road that is not designed to support the traffic load imposed by a subdivision of this size. Short of the Developer being required by the State to improve Shankle road to a properly engineered road capable of supporting the subdivision's traffic load, the proposed subdivision imposes a maintenance burden to the local residents at the benefit of the Developer. In incorporated areas the installation of proper roads to support additional traffic imposed by new development is typically the responsibility of the Developer. The same standard should apply here.
- C.) I am pro development and fully understand the need for affordable housing. However, *all* development should be done responsibly and to an acceptable minimum standard. The proposed Shankle Road MUD does not meet this criterion. The proposed MUD is surrounded by inadequate roads, has excessive density, discharges a disruptive amount of wastewater to neighboring agricultural properties, includes no amenities for the residents, has minimal fire, police, ambulance support, etc. A responsibly executed development plan gives adequate consideration to these elements and should result in the creation of a community that provides a quality standard of living for its residents. This development plan appears to give priority to the benefit of the Developer with the absolute minimum consideration given to the standard of living for its residents and neighbors.

Respectfully submitted,

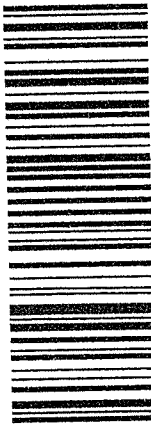
  
Stacey Martinek

214.682.5229

STACEY MARTINEK  
8880 FM 660  
ENNIS, TX 75119

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DEC 27 2022  
TOSQ MAIL CENTER  
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PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
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NORTH TEXAS TX 750



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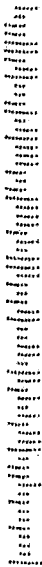


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DEC 21, '22  
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R2305P150751-07

TCER MC-105  
P.O. Box 13087  
Austin, TX 78711-3087  
DEC 22 15:28

78711-308797



THOMAS C. MARTINEK  
8880 FM 660  
Ennis, TX 75119

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

DEC 20 2022

Gew H

TCEQ OCC

In Re: Petition D-08222022-044, petitioned by Steve Selinger

27DEC '22 15:27

Attn: Chief Clerk

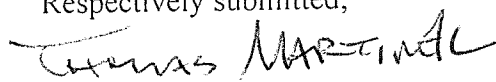
I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **8880 FM 660, ENNIS, TX.**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- A.) My family has operated a 250 acre farm at the corner of Shankle Road and FM660 for more than 80 years. Four-mile Creek runs through the middle of our farm. It has always been a dry creek for as long as we have owned the property. We have a sizable herd of cattle that graze our property on both sides of this creek. The proposed MUD includes a request to discharge an average of 500,000 thousand gallons of water a day into Four-mile Creek will change this from a dry creek to a creek that always contains water. This will divide our farm into two separate sections. This would significantly disrupt our cattle operation. Furthermore, we would not want our cattle drinking the sewer discharge and would have to construct fences to restrict access to the waste water running through the property.
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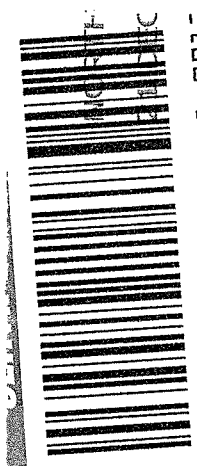
Respectively submitted,



Thomas C. Martinek

214.770.5927

THOMAS MARTINEK  
8880 FM 660  
ENNIS, TX 75119



7021 2720 0002 6541 791E



78711

U.S. POSTAGE PAID  
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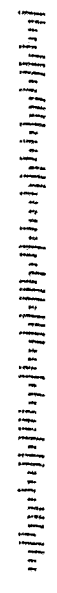
P.O. Box 13087

AUSTIN, TX 78711-3087

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27 DEC '22 15:26

78711-308787



Kathy Matous  
PO Box 458  
Ennis TX, 75120

December 15, 2022

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

Gae

H

CHIEF CLERKS OFFICE

2022 DEC 19 AM 10:51

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County Texas.

My property is located at 2870 E. Hwy 34 Ennis, TX.

The creation of this Utility District uniquely and adversely affects me in the following ways:

- Environmental and flooding concerns resulting from effluent discharge of water treatment plant effecting area, especially downstream. Environmental impact can impact existing livestock water sources negatively and adversely. Detrimental to way of life and income for existing residents.
- Raw sewage contamination of current top-shelf water sources.
- Traffic in the immediate area of FM 660 as a 2-lane rural Farm to Market Road currently not designed or engineered to accommodate the acute volume of traffic that would be created by the density.
- Roads in the immediate area of FM 660 and HWY 34 are not designed or engineered to accommodate the acute volume of traffic that would be created by the density.
- Acute Volume of traffic would create an immediate safety issue for existing residents in the area.
- Immediate school districts for Ennis and Palmer are not adequately designed to handle proposed acute density. Tax base is not appropriately structured to support. Tax base would be increased significantly.
- Emergency and Police services are not in place to support such acute density. Subject to criminal elements and creates immediate safety and wellbeing issue to existing residents in the area.

Sincerely,

*Kathy Matous*

Office of the Chief Clerk, MC105  
**TCEQ**  
PO Box 13087  
Austin, TX 78711-3087

CHIEF CLERKS OFFICE

2022 DEC 19 AM 10:51

NO COPY ON ENVIRONMENTAL  
COMMISSION





TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 19 AM 10:49

CHIEF CLERKS OFFICE

Steve Matous  
PO Box 458  
Ennis TX, 75120

December 15, 2022

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

REVIEWED

DEC 29 2022

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In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County Texas.

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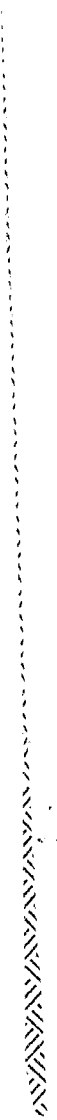
Sincerely,

Steve Matous

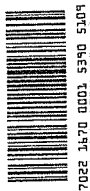
Office of the Chief Clerk, MC105  
**TCEQ**  
PO Box 13087  
Austin, TX 78711-3087

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TEXAS  
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ON ENVIRONMENTAL  
QUALITY



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RR Box 772  
Emu, TX 75120



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REVIEWED  
DEC 29 2022

REVIEWED  
DEC 29 2022



2406 Inverrary Drive  
Ennis Texas, 75119

REVIEWED

JAN 04 2023

By GCW H

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TCEQ OCC

In Re: Petition D-08222022-044, petitioned by Steve Selinger

4 JAN '23 10:33

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **2406 Inverrary Drive**. **The small community of Garrett is not equipped to handle this growth, revenue wise they have a problem maintain their roads and streets. The will also be a huge burden for the small community of Palmer. This small community is almost totally made up of low income wage earners and elderly retired residence**

The creation of this Utility District uniquely and adversely affects me and my community

**[INSERT YOUR COMMENTS HERE, as many pages as you need]  
[IF DESIRED, ADD REFERENCES TO EXHIBITS ON SEPARATE PAGES TO SUPPORT  
COMMENTS]**

Respectively submitted,



Harry Matus

214-773-7856

harrymatus@sbcglobal.net

**CERTIFIED MAIL**



7022 1670 0001 5390 7653



78711

U.S. POSTAGE PAID  
FCM LETTER  
ENCL. TX  
75119  
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OFFICE OF THE CHIEF CLERK, MC 105

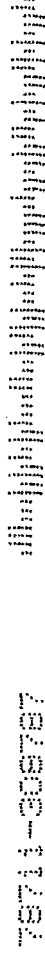
TCEQ

P.O. Box 13087

Austin, TX 78711-3087

JAN 04 2023

TCEQ MAIL CENTER  
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2406 Inverrary Drive  
Ennis Texas, 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
JAN 04 2023  
By GCW H

TCEQ OCC

In Re: Petition D-08222022-044, petitioned by Steve Selinger

4 JAN '23 10:32

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **2406 Inverrary Drive**. **The small community of Garrett is not equipped to handle this growth, revenue wise they have a problem maintain their roads and streets. The will also be a huge burden for the small community of Palmer. This small community is almost totally made up of low income wage earners and elderly retired residence**

The creation of this Utility District uniquely and adversely affects me and my community.

**[INSERT YOUR COMMENTS HERE, as many pages as you need]  
[IF DESIRED, ADD REFERENCES TO EXHIBITS ON SEPARATE PAGES TO SUPPORT  
COMMENTS]**

Respectively submitted,



Wilma Matus

214-773-7856

[harrymatus@sbcglobal.net](mailto:harrymatus@sbcglobal.net)

**CERTIFIED MAIL**



7022 1670 0001 5390 7646



78711



RDC 99

U.S. POSTAGE PAID  
FIRST CLASS PERMIT NO. 1016  
HOUSTON, TX  
DEC 30, 22  
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OFFICE OF THE CHIEF CLERK, MC 105

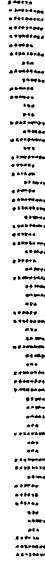
TCER

P.O. Box 13087

AUSTIN, TX 78711-3087

JAN 04 2003

78711-3087



December 18, 2022

TO: Office of the Chief Clerk, MC-105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED

TCEQ OCC

DEC 28 2022

27DEC '22 14:55

By Gene H

FROM: Frank May  
1051 Novy Rd.  
Ennis, TX 75119

RE: Petition D-0822202-044, Petitioned by Steve Selinger

ATTN: Chief Clerk

I request a contested case hearing for Petition D-0822202-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at the above address.

The creation of this Utility District uniquely and adversely affects me in the following ways:

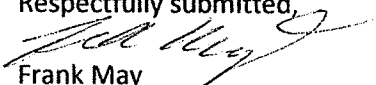
*Flooding/drainage* - As we are located downstream from the location in question, and several thousand feet of *Four Mile Creek* bound our parcel of land, the water runoff from the development of said property would drastically increase the volume of water flowing through the back of my property likely putting my home into a flood plain. I would request at the very least that an extensive drainage plan should be studied for all those affected by this development.

*Sewer Treatment* - The number of pollutants and effluent discharge emissions from a water treatment plant that are dumped into *Four Mile Creek* will end up contaminating the flood plains on my land that my grandchildren play on. Additionally, the odors that emanate from a sewage treatment plant can be stifling. An extensive environmental impact study should be undertaken prior to creation of this Municipal Utility District.

There are many native creatures that make their homes in the habitat that exists on the land where the proposed Municipal Utility District would be created. An extensive wildlife impact study should be provided from the petitioner.

*Refuse Control* - The influx of such dense housing will create an astronomical amount of trash and debris that will have to be controlled. As is the case with any densely populated area, there will be a portion of the refuse produced that is released to surrounding areas by wind, water, and littering that will no doubt end up in *Four Mile Creek* as well as all surrounding streets and properties.

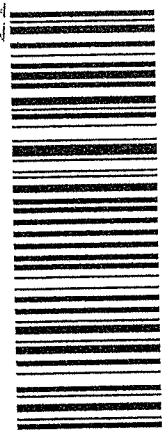
Respectfully submitted

  
Frank May  
817 994 6303



Frank May  
1051 Navy Rd.  
Ennis, TX 75119

PLEASE CHECK TO TOP OF ENVELOPE TO THE RIGHT  
OF THIS LINE FOR ADDRESSES TO BE RETURNED TO THE  
SENDER.  
**CERTIFIED MAIL**



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RDC 99

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DEC 21, 22  
AMOUNT  
**\$7.85**  
R2304P118983-88

RETURN RECEIPT  
REQUESTED

27DEC 22 14:54  
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Office of the Chief Clerk, MC-105  
TCEQ  
P.O. BOX 13087  
Austin, TX

RECEIVED

DEC 27 2022

TCEQ MAIL CENTER

78711-3087 78711-3087

Marla Allen May  
1051 Novy Rd  
Ennis, TX 75119

December 20, 2022

Office of the Chief Clerk, MC 105 TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 28 2022  
By GCW H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of the Shankle Road Municipal Utility District of Ellis County. I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 1051 Novy Rd Ennis, TX 75119.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

· ***Flooding/drainage*** - 4 mile creek literally runs directly behind our house. Under normal circumstances, the creek is usually dry or has minimal water. Therefore, when we do get a lot of rain, flooding is not an issue. However, if the creek starts off full due to the Shankle Rd MUD, then we will have serious flooding issues whenever we get torrential downpours, maybe even get labeled as a floodplain.

**An extensive drainage plan should be demanded for the entire drainage/flooding inclusive of the entire path through Ellis County.**

· ***Smells/ Odors from sewer treatment plant*** – submitted plans by Petitioner are inadequate for the proposed development and additional developments the developer may add to the District.

**An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of crop contamination downstream.**

· ***Trash/Debris/clutter*** - Developing property with such a high density of housing creates excessive amounts of trash, debris and clutter throughout the surrounding properties. **The petitioner has not addressed the negative impact of excessive waste to surrounding properties and debris to the landfill and the amount of trash that will end up in the 4 mile creek which runs directly behind our house.**

Respectively submitted,

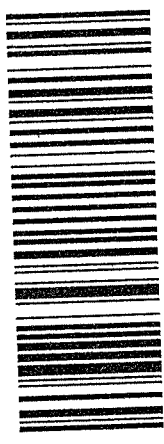
*Marla Allen May*  
Marla Allen May

817-937-4414

TCEQ 000  
27DEC '22 14:51

Maria May  
1051 Navy Rd  
Ennis, TX 75119

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. HOLD AT DOTTED LINE  
**CERTIFIED MAIL**



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RDC 99



78711

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R2304P118983-88

RETURN RECEIPT  
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DEC 27 2022

TCEQ MAIL CENTER  
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Office of the Chief Clerk, MC-105

TCEQ

P.O. Box 13087

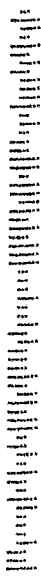
Austin, TX

78711-3087

TCEQ 000

27DEC '22 10:31

78711-308787



## Vander Gold

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, December 19, 2022 4:15 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044  
**Attachments:** MUD.docx

H

**From:** ktmclluskey@gmail.com <ktmclluskey@gmail.com>  
**Sent:** Monday, December 19, 2022 3:56 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Kathleen McCluskey

**EMAIL:** [ktmclluskey@gmail.com](mailto:ktmclluskey@gmail.com)

**COMPANY:**

**ADDRESS:** 1247 SHANKLE RD  
ENNIS TX 75119-0119

**PHONE:** 9729356664

**FAX:**

**COMMENTS:** Please see attached document

Office of the Chief Clerk, MC 105

TCEQ

P.O. Box 13087

Austin, TX 78711-3087

Re: Petition D-08222022-044; petitioned by Steve Selinger

Attn: Laurie Gharis, Chief Clerk

I request denial or a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, (Petitioner) whom filed a petition for creation of Shankle Road Municipal Utility (MUD). My property is located at 1247 Shankle Road, Ennis, TX 75119.

The creation of the Shankle Road Municipal Utility District (MUD) is deeply concerning to me as property owner. The creation of a commercial waste facility directly impacts the value of my property as a direct result of the proximity to my residence. Per the guidelines outlined in The Texas Water Code (Title 4, Chapter 54. Municipal Utility Districts) I also have concerns that the following provisions have been met:

☐ Per Sec. 54.015 the estimated costs of the project are unrealistic given an insufficient water plan for the proposed community

☐ Per the guidelines of Sec. 54.021 (b) (2) the reasonableness of projected construction costs cannot be evaluated as access to water for Shankle Road (MUD) has not been determined. The rural water providers do not have sufficient water resources to provide to an 800 home MUD community.

Providing water to a new development compromises the existing communities' access to water

☐ Per 54.021 (d) the current roadways of FM 879 and Shankle road cannot support additional traffic.

The State and County have not sufficiently demonstrated the ability to maintain either roadway with the existing amount of traffic.

Kathleen McCluskey

## Vander Gold

---

**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, December 22, 2022 4:26 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044

H

**From:** c.a.mcdowell@live.com <c.a.mcdowell@live.com>  
**Sent:** Thursday, December 22, 2022 3:15 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Charles A McDowell

**EMAIL:** [c.a.mcdowell@live.com](mailto:c.a.mcdowell@live.com)

**COMPANY:**

**ADDRESS:** 3902 COPPERWOOD CT  
COLLEYVILLE TX 76034-4148

**PHONE:** 8179058070

**FAX:**

**COMMENTS:** I request a contested case hearing in the matter of the proposed sewage treatment facility. Our family farm is located in Bristol, just downwind from the Shankle Road address. For years the southern breezes in the springtime have always carried the scent of Texas bluebonnets. Will this be replaced by the smell of sewage now? Have sufficient plans been submitted to TCEQ to address this? What about the effects on the groundwater table of Ellis county? My concern there is that the water table will be adversely affected by this project, lowering the quality of the

aquifer for all residents. WILDLIFE- Has a wildlife impact study been completed for this project? How will this affect migratory birds as well as larger predators of the area such as panthers, bobcats and coyotes? Trash- High density housing developments bring litter, trash, garbage discarded alongside county roads, as well as dangerous chemicals, oil, and antifreeze, just to name a few, being dumped illegally and ultimately ending up in our water supply. This is family land and this project will adversely affect myself as well as future heirs.

## Ellie Guerra

---

**From:** PUBCOMMENT-OCC  
**Sent:** Friday, December 23, 2022 7:59 AM  
**To:** Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number D-08222022-044

H

**From:** c.a.mcdowell@live.com <c.a.mcdowell@live.com>  
**Sent:** Thursday, December 22, 2022 3:15 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Charles A McDowell

**EMAIL:** [c.a.mcdowell@live.com](mailto:c.a.mcdowell@live.com)

**COMPANY:**

**ADDRESS:** 3902 COPPERWOOD CT  
COLLEYVILLE TX 76034-4148

**PHONE:** 8179058070

**FAX:**

**COMMENTS:** I request a contested case hearing in the matter of the proposed sewage treatment facility. Our family farm is located in Bristol, just downwind from the Shankle Road address. For years the southern breezes in the springtime have always carried the scent of Texas bluebonnets. Will this be replaced by the smell of sewage now? Have sufficient plans been submitted to TCEQ to address this? What about the effects on the groundwater table of Ellis county? My concern there is that the water table will be adversely affected by this project, lowering the quality of the



aquifer for all residents. WILDLIFE- Has a wildlife impact study been completed for this project? How will this affect migratory birds as well as larger predators of the area such as panthers, bobcats and coyotes? Trash- High density housing developments bring litter, trash, garbage discarded alongside county roads, as well as dangerous chemicals, oil, and antifreeze, just to name a few, being dumped illegally and ultimately ending up in our water supply. This is family land and this project will adversely affect myself as well as future heirs.

Melissa O. McElhannon  
328 Sunridge Rd.  
Ennis, TX 75119

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

RE: Petition D-08222022-044

ATTN: Chief Clerk

DEC 27 2022  
Gaw H

TCEQ 000

27DEC '22 15:27

I request a contested case hearing for Petition D-08333033-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

My property is located at 328 Sunridge Road.

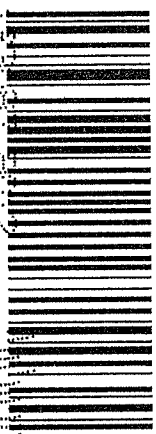
The creation of this Utility District uniquely and adversely affects me in the following ways:

1. Being that the proposed site of this Utility District is directly NE from my homestead, with no wind block, the probability of putrid smells and odors from the sewer treatment plant, with the amount of wind out here, is unacceptable. The submitted plans by the petitioner, Steve Selinger, are inadequate for the proposed development particularly considering the possibility/probability of additional developments that could be added to the District at a later date. The amount of land is insufficient for a project of this magnitude, and an Extensive Environmental Impact Study regarding the effects of the excessive sewer water that will be generated by this development as well as the effects of contamination to the crops downstream is demanded.
2. The majority of the land in this proposed Utility District is currently and has historically been a habitat for wildlife. In this area ducks, geese, waterfowl are regularly seen. The vast ponds, trees and brush cover are used by the wildlife and the natural vegetation is a roosting area for migratory and local bird populations. This habitat provides protection for wildlife from heat, drought and heavy rain. This habitat will not be relocated, but destroyed by the developer, which will also forcibly relocate the large number of coyotes, bobcats, hogs and other predators to surrounding properties, unduly burdening the landowners with having to provide additional protection for chickens, ducks, geese, pets and livestock. An extensive wildlife impact study should be provided and demanded from the Petitioner.
3. This housing development will be located in the Palmer Independent School District, which is a small, rural school system. As a retired educator, I am concerned the Utility District will not only overburden this district with the influx of such a large number of school age children, but will also unduly burden the surrounding districts with the overflow. These school districts are already at maximum capacity, with the current growth in this part of Texas, and this Utility District would cause there to be a mandatory expansion of the existing buildings and adding additional schools, which, in turn, will burden every property owner and homeowner with increased school taxes.

Melissa O. McElhannon

Wade McWhorter  
328 Sw Judge Rd  
Aurora, Ax 75119

PERMITS MAIL



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DEC 27 2022

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CJ

Office of the Chief Clerk, MC 105

JC & Q

PO Box 13087

Aurora, Ax 78711-2087

7050 000

27DEC '22 15:27

140 W Canton St  
Palmer, TX 75152

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

GAU H

TCEQ OCC

In Re: Petition D-08222022-044, petitioned by Steve Selinger

27DEC '22 15:21

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 140 W Canton St.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

We moved from a large city, to this quiet little town simply for the fact that it is small, quiet and safe. We dealt with the high crime and the uneasiness that came at nightfall. Larger populations equal more crime and this development will bring that.

There will be an increase in traffic along the two lane road through town. During the school year, traffic on our two lane road stops and causes issues because of where our schools are located. It is a nightmare trying to get anywhere before school starts and when it has been let out. This is a cause for concern because I have multiple doctor's appointments throughout the week.

This is such a high density of housing, I demand an extensive environmental impact study to be done. We appreciate and respect our open land and all the wildlife that lives on it and because of our brush cover, extensive trees, and ponds this area is a nesting ground for our wildlife. This development will destroy a natural habitat.

Has the developer put forth plans regarding the sewage system? Houses are going up everywhere, but the sewage system does not get updated which causes issues for everyone, especially the current residents.

What is the developers plan for the negative impact of excessive waste and debris to put landfill? Again, we appreciate and respect our land and with the amount of debris, trash, and clutter that will surely come with a new housing development how is this going to impact the residents, our town, and the land.

Adequate and well thought out plans should be submitted by the developer before anything is even considered.

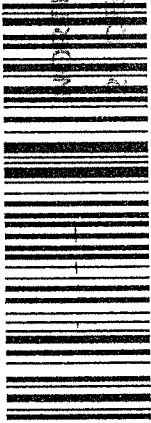
Respectively submitted,

**Stacie Medici**

505-944-6725

27DEC 22 15:21

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DEC 27 2022

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Office of Fine Chief, MC-105, TREC  
Po Box 13087  
Austin, Tx 78711-3087

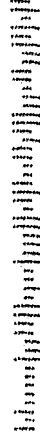
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75152  
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**\$4.60**  
R2305K142764-10



78711



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78711-308797

140 W Canton St  
Palmer, TX 75152

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **140 W Canton St. Palmer, Tx 75152**


The creation of this Utility District uniquely and adversely affects me in the following way(s):

**This will overwhelm the water distribution systems which will cause lower pressure than there is already, may raise the crime. This will also overcrowd the school district and put our kids at risk in a lower quality education.**

REVIEWED

DEC 23 2022

By



H

Respectively submitted,

Vincent & Stacie Medici

(505)944-6725

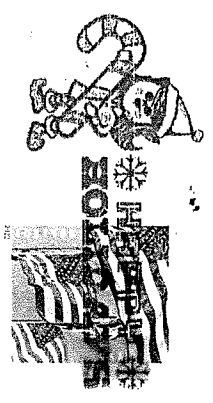
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CHIEF CLERKS OFFICE

2022 DEC 23 AM 9:56

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

453 W  
140 W. Carbon St  
Palmer, TX 75152

NORTH TEXAS TX P&DC  
DALLAS TX 750  
21 DEC 2022 PM 8 L



OFFICE OF THE CHIEF, MC-105, TCEQ

PO Box 13087

Austin, TX 78711-3087

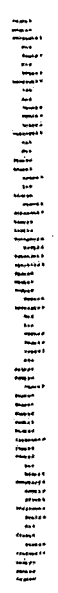
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ON ENVIRONMENTAL  
QUALITY  
2022 DEC 23 AM 9:56  
CHIEF CLERKS OFFICE

78711-3087



## Christina Bourque

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, January 9, 2023 2:36 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Disc  
**Subject:** FW: Public comment on Permit Number D08222022044

H

**From:** stratmagek@gmail.com <stratmagek@gmail.com>  
**Sent:** Monday, January 9, 2023 12:50 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTITY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Danny Miller

**EMAIL:** [stratmagek@gmail.com](mailto:stratmagek@gmail.com)

**COMPANY:**

**ADDRESS:** 3021 WILSON RD  
PALMER TX 75152-8269

**PHONE:** 4699996978

**FAX:**

**COMMENTS:** I am concerned regarding the impact of farming, wildlife, drainage, the school district, and our infrastructure I would like to request a contested case hearing for this permit



## Christina Bourque

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, January 9, 2023 2:36 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

H

**From:** laura.surles@gmail.com <laura.surles@gmail.com>  
**Sent:** Monday, January 9, 2023 12:49 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Laura Miller

**EMAIL:** [laura.surles@gmail.com](mailto:laura.surles@gmail.com)

**COMPANY:**

**ADDRESS:** 3021 WILSON RD Wilson Rd  
PALMER TX 75152-8269

**PHONE:** 2143150336

**FAX:**

**COMMENTS:** I am concerned regarding the impact of farming, wildlife, drainage, the school district, and our infrastructure I would like to request a contested case hearing for this permit

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

602 Novy Road  
Ennis, TX 75119

December 19, 2022

2022 DEC 21 PM 1:15

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

CHIEF CLERKS OFFICE

REVIEWED

DEC 21 2022

GCW H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

My husband (Lawrence Mireles) and I (Kim Mireles) request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **602 Novy Road, less than 3 miles South of the Petitioners property requested for creation of the Shankle Road Municipal Utility District.**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

First and foremost, the creeks flowing in this area overflow and flood frequently. We do not need additional water runoff flowing through these creeks. The drainage plan submitted by the Petitioner is inadequate. We demand an extensive drainage plan for the entire drainage area inclusive of the entire path through Ellis County. Residents in this area could be heavily impacted by this new District and proposed large-scale development project.

The proposed development area will impact native and migratory wildlife. This area is a nesting ground for wildlife based on the brush cover, ponds and number of trees. This natural vegetation is a roosting area for migratory and local bird populations. I have witnessed large numbers of geese and other birds flying, landing and using the area all along Shankle and Novy Road in their flight and temporary roosting patterns as well as other ducks and waterfowl and Road Runners. An extensive Wildlife Impact Study must be required from Petitioner prior and potentially foregoing approval of this MUD. As nearby property owners, we are also concerned that coyotes, wild hog and other predatory animals will be forced to relocate closer to our homes where our pets, livestock, chickens, etc. will require additional protections.

In addition to the above studies, a thorough Environmental Impact Study should be required regarding the effects of the excessive and potentially contaminated water generated by the MUD and development project to determine potential impacts to crops, farm land, hay fields, cattle grazing lands downstream of the project. As stated, this area receives significant water run-off as a result of heavy rains. We must know how this project can potentially impact our homes and surrounding area, the types and magnitude of potential contamination.

As a nearby landowner, I am also heavily concerned about the proposed MUD's ability and potential to acquire additional property in this area at its discretion. I am aware that most MUD's commonly acquire additional land beyond their original boundaries. We are concerned about the additional traffic congestion on all surrounding roads with the current proposed boundaries. We have been impacted already by the hundreds, if not thousands of sand and gravel trucks on HWY 34, south of our property, and now we will be impacted from the other direction with additional traffic and construction/development from this proposed Shankle MUD project if it is allowed to proceed. This is an area where we (me, children, families) currently ride bicycles and horses, walk

and appreciate country living. A low housing development project will bring additional dangers to this area and almost no possibility of continued bicycling or walking due to the congested roadways and construction, as well as crime concerns from low income housing. Low cost housing creates additional threats of theft, vandalism, and additional crimes that will threaten the residents on Shankle Road, Novy Road and surrounding communities as well as for the Ellis County Sheriff's Dept. This is a major concern for all residents of Ellis County.

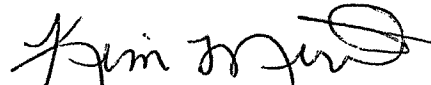
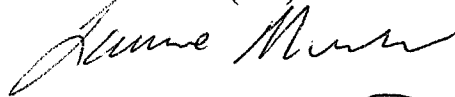
Other concerns include inadequate emergency response, lack of adequate fire protection, handling and disposal of additional and excessive amounts of waste, trash, debris and clutter. The Petitioner has not addressed the negative impact of excessive waste to surrounding properties and debris to the landfill. Adding 800 homes will create an estimated 1040 students and a huge burden to all property owners in the Palmer ISD to add additional schools.

In conclusion, I request a hearing and the above studies be conducted to address extensive concerns we have about this project.

Respectively submitted,

**Lawrence Mireles**

**Cell Phone: (214) 755-2046**



**Kim Mireles**

**Cell Phone: (214) 354-5419**

MIREAS  
602 POWY RD  
DUNNIS, TX 75119

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**CERTIFIED MAIL**



7022 1670 0001 5390 7158

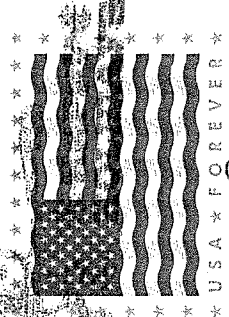


RDC 99



78711

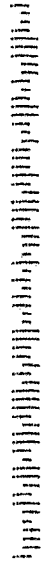
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R2304M113118-12



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 21 PM 1:15  
CHIEF CLERK OFFICE  
TCEQ MAIL CENTER  
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OFFICE OF THE CHIEF CLERK MCIOS  
TCEQ  
PO BOX 13087  
AUSTIN, TX 78711-3087



78711-308787

DEC 23 2022  
Gau H

Terry & Teri Moore  
232 Skrivanek Rd.  
Ennis, Texas 75119

December 18, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. BOX 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

TCEQ 000

28DEC '22 10:00

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **232 Skrivanek Rd Ennis, TX 75119**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

We are within 1.9 miles from the property to be developed. The roads aren't equipped for the extra traffic. Water & Sewer concerns. The community is not capable to handle 800 homes. Volunteer Fire department & Sheriff department do not have the staff to handle the extra 800 homes. Schools are already to the max limit. We are members of the Crisp Cemetery which is 1 mile from the property & will effect the drainage & could destroy the cemetery due to flooding.

Respectively,



**Terry Moore**

**214 793-8696**

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PC MAIL LETTER  
PALMER, TX  
75132  
DEC 20 22  
AMOUNT  
**\$7.85**  
R2305K1 42764-10



78711

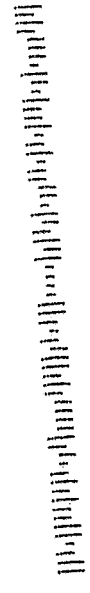


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Office of the Chief Clerk, MC:105  
TCEQ  
P.O. BOX 13087  
Austin, TX 78711-3087

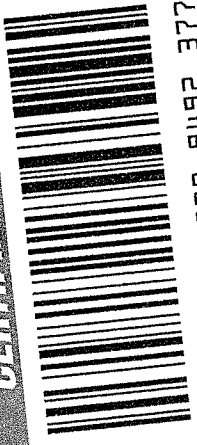
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AJ



This MUD will impact my rural country neighborhood with ranchers and farmers. This MUD will impact our wildlife, cattle and food sources.

· **Wildlife Impact-** The proposed development is and historically has been a nesting ground for wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations.

All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain.

**An extensive wildlife impact study should be provided and demanded from the Petitioner.** This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock.

· **TRASH AND DEBRIS** - Developing property with a high density of housing creates excessive amounts of trash and debris throughout the area. The petitioner has not addressed the negative impact of excessive waste to surrounding properties and debris to the landfill.

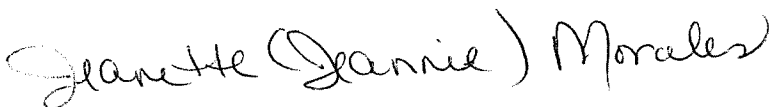
**SAFETY/CRIME** - The additional low-cost housing developments create additional threats of theft, vandalism, and additional crimes that will create additional burdens to the Ellis County sheriff's Dept. **SAFETY CONCERN** for the citizens in the vicinity of the proposed MUD as well as for all residents of Ellis County.

\***EMERGENCY SERVICES** - The Garrett and Bristol fire departments (Volunteer Departments) will not be equipped to handle the additional services, manpower and equipment needed for adequate fire protection for the additional developments. Even if the Petitioner donates land for a new Fire Station (which he hasn't) additional equipment and manpower will be needed. This cost will be passed on to the current residents in the towns and Emergency Services Districts.

**TRAFFIC** - the development will create congestion on all surrounding rural and farm roads. 800 homes equal approximately 1600 additional cars every day.

\***SCHOOLS**- The additional households will create an estimated 1040 students (2 elementary schools) for the Palmer ISD. This creates a huge burden on all property owners in Palmer ISD, a very small community, who cannot financially support this MUD.

Respectfully,



Jeanette (Jeannie) Morales

1012 Eason Road Ennis, Texas 75119

(214) 908-9887





1012 Eason Road  
Ennis, TX 75119

REVIEWED

DEC 23 2022

BY *[Signature]*

4

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 1012 Eason Road, Ennis, Texas 75119.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:17  
CHIEF CLERKS OFFICE

· **WATER RUNOFF**- should concern all surrounding property owners as an inadequate drainage plan was submitted by the Petitioner. It did not consider any drainage/water runoff to the East and South affected landowners.

· **FLOODING/DRAINAGE** - should concern all landowners downstream from Shankle Road to Novy Road to 4-mile creek to Village Cr to Telico and on to the Trinity River.  
**An Extensive Drainage Plan should be demanded for the entire drainage/flooding inclusive of the entire path through Ellis County.**

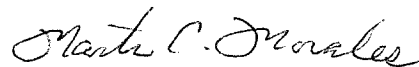
· **SMELLS/ODORS FROM SEWER TREATMENT PLANT** – submitted plans by Petitioner are inadequate for the proposed development.  
**An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of crop contamination downstream.**

· **TRASH AND DEBRIS** - Developing property with a high density of housing creates excessive amounts of trash and debris throughout the area. The petitioner has not addressed the negative impact of excessive waste to surrounding properties and debris to the landfill.

**SAFETY/CRIME** - The additional low-cost housing developments create additional threats of theft, vandalism, and additional crimes that will create additional burdens to the Ellis County sheriff's Dept. I am a Retired Federal Law Enforcement Officer and have personal firsthand experience of this important **SAFETY CONCERN** for the citizens in the vicinity of the proposed MUD as well as for all residents of Ellis County.

**ECONOMICS-** Historically MUDs are usually never fully paid off unless it is annexed by a municipality which takes over the debt incurred. As a citizen I am fiscally responsible with my household. In light of the current economic status facing the state of Texas we as a state do not need to incur more debt. Ellis County is not a metropolitan area such as Travis County, Harris County and Dallas County which can provide the jobs necessary to the potential future residents of the proposed MUD. Allowing the MUD to proceed is not a good fiscal decision for the state of Texas or the future residents of the proposed MUCD

Respectively submitted,



Martin C. Morales

1012 Eason Road

Ennis, Tx 75119

(214) 537-6699

CHIEF CLERKS OFFICE

2022 DEC 22 PM 2:18

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COMMISSION  
ON ENVIRONMENTAL  
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SEAL



PRESS FIRMLY TO SEAL



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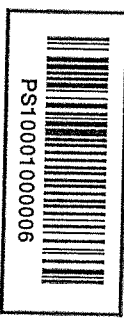
## FLAT RATE ENVELOPE

TEXAS

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EP13F July 2022  
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1012 BASS RD  
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75119

TO: PEEL FROM THIS CORNER

OFFICE OF THE CHIEF CLERK  
MSC-105 TCEG  
P.O. BOX 13087  
AUSTIN, TEXAS  
78711-3087

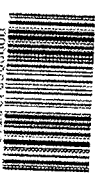
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FROM: United States Postal Service  
TRK#: E181024041BUS  
RCVD: 12222022 1232

CLERK: Bradley Cooper  
TO: CHIEF, CLERK  
BDG: F  
PKG: 1  
PCS: 1



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RTE:  
MSC: 105  
CHIEF, CLERK

POSTAL SERVICE

This package is made from post-consumer waste. Please recycle - again.

Carol Nesuda Mraz  
320 Sunridge Road  
Ennis, Texas 75119

REVIEWED

DEC 23 2022

By \_\_\_\_\_

December 19, 2022

CHIEF CLERKS OFFICE

2022 DEC 22 PM 2:38

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petition by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08333033-044 , petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

My property is located at 320 Sunridge Road.

The creation of this Utility District uniquely and adversely affects me in the following ways:

1. Traffic increases not only with family unit vehicles, but heavy equipment and 18-wheel trucks will lead to the deterioration of not only Highway 34, but county roads including Sunridge Road. My road is not designed to deal with heavy equipment and 18-wheel trucks. The width of Sunridge does not allow for the width of this type of vehicle. This road would require widening for the traffic that the development of this Municipal Utility District of Ellis County. Highway 34 is a narrow 2-lane highway which has experienced many fatal accidents due to heavy traffic. I fear that unless this State Highway is not widened, there will be many more fatalities.
2. The proposal of the Utility District and the housing development that will follow will be putting a burden on the surrounding school districts, especially Palmer I.S.D., but also Ennis I.S.D. With population growth, these school districts are already being pushed to the limit in student population. As a result, additional schools will require expansion of buildings and additional schools which will lead to an increase in school taxes. Those of us that are retirees, are already stretched very thin, living on a fixed income I am not sure we can afford to pay more in taxes.
3. Living outside the city limits of Ennis, we are dependent on Volunteer Fire Departments to provide protection in case of a fire. As you are aware, according to studies, if a home fire is not extinguished within 5 minutes, it will be a total loss. Currently, the fastest an emergency vehicle can arrive is 45 minutes. Individuals living in the eventual housing development will be in grave danger. If a Utility District is developed on the proposed sight, they would need to create a 24/7 protection service to deal with any fire or health emergencies that might occur. So, ambulance services and police services likewise would be needed to serve the 800 homes that are being proposed.

*Carol Nesuda Mraz*

CAROL N. MRAZ  
320 SUNRIDGE ROAD  
ENNIS, TX 75119

7022 1670 0001 5390 8421



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
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ENNIS, TX



RONALD W. MRAZ  
320 SUNRIDGE ROAD  
ENNIS, TX 75119

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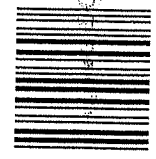


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Austin TX 78711-3087

78711-308787





1104 Lakeway Drive  
Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 28 2022  
By Gee H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

TCEQ 000

Attn: Chief Clerk

27DEC '22 14:52

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **1104 Lakeway Drive, Ennis, TX 75119**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

Although I would love to see growth, this is not feasible for this area. We will be affected by the high density of people our schools are not capable of the additional students, fire, police, and Ems have a delayed response already due to distances and staffing, and county roads will need to be resurfaced to handle the additional traffic and the noise pollution will cause additional harm to the area.

Respectively submitted,

*DL Nevitt*

David Nevitt

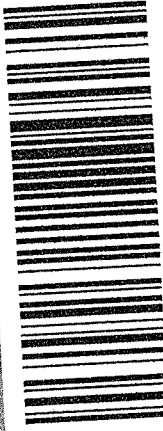
214-534-9881

David L. Nevitt  
1104 Lakeway Drive  
Ennis, TX 75119

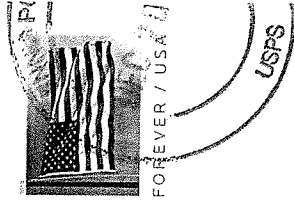
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GENERAL MAIL



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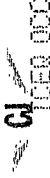


Office of the Chief Clerk,  
MC-105, TCEQ,  
P.O. Box 13087,  
Austin, TX 78711-308

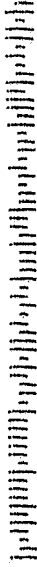
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27DEC '22 14:52

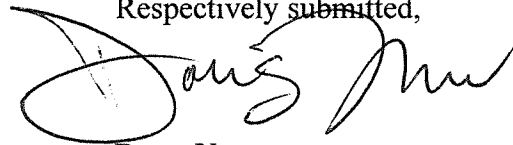


7871193087 8012



- **Impact on Palmer School District should be taken into consideration. Palmer is a small school district and this development would potentially double the size of it in a short amount of time. The resources available for this small district would not be able to affectively support the sudden influx of this number of students and would potentially harm the education of current students.**

Respectively submitted,

A handwritten signature in black ink, appearing to read "Doug New". The signature is fluid and cursive, with a large initial "D" and "N".

**Doug New**

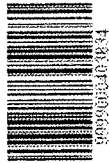
**817.691.8606**

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Doug New  
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 Palmer, TX 75152

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ORIGIN (POSTAGE SERVICE ONLY)  
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 Scheduled Delivery Date (MM/DD/YY): 12/22/22  
 Insurance Fee: \$ 27.40  
 COD Fee: \$  
 Return Receipt Fee: \$  
 Signature Required Fee: \$  
 Special Handling/Fragile: 233  
 Sundry/Holiday Premium Fee: \$  
 Total Postage & Fees: \$

Weight: \$  
 Dimensions: in. oz.  
 Delivery Attempt (MM/DD/YY):  
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 Employee Signature: \_\_\_\_\_  
 Employee Signature: \_\_\_\_\_

POSTAGE SERVICE ONLY  
 Scheduled Delivery Date (MM/DD/YY):  
 Scheduled Delivery Time:  
 Insurance Fee:  
 Return Receipt Fee:  
 Signature Required Fee:  
 Sundry/Holiday Premium Fee:  
 Total Postage & Fees:

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 Dimensions: in. oz.  
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 Employee Signature: \_\_\_\_\_  
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News  
78714 AM 879  
Palmer TX 75152

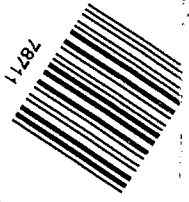
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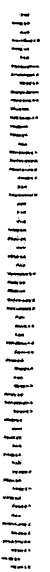
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Austin, TX 78711-3087

78711-3087



7874 FM 879  
Palmer TX 75152

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:29  
CHIEF CLERKS OFFICE

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **7874 FM 879, Palmer TX 75152**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

1. Smells And Odors From The Sewer Treatment Plant (My Property Is In Viewing Distance From This Proposed Site)
2. Rehoming Wildlife – We Have Cows, Chickens And Goats – This Will Cause Predator Animals To Relocate To And Possibly Harm My Livestock
3. Roads – We Have A 1 Lane Road That Will Not Be Able To Handle Additional Traffic
4. Emergency Services – There Is No Emergency Services – We Have A Volunteer Fire Department And A County Sherriff Officer That Do Not Have The Manpower Or Equipment To Handle A Development This Size
5. Crime – I Moved To The Country To Get Away From Crime And Thugs – This Development Creates A HUGE Threat To My Family And Families Around Us Bringing In 800 Low Income Homes
6. Schools – Palmer School District Is A Small 3A School That Will Be Completely Ruined With This Many People Added- They Do Not Have The Resources Or Money To Support This Kind Of Growth.

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DEC 23 2022

By                     

A

Respectively submitted,

  
Jennifer New

817-658-1515



News

78714 FM 879

Palmer TX 78152

COMMISSION ON ENVIRONMENTAL QUALITY  
2022 DEC 22 PM 2:26  
CHIEF CLERKS OFFICE

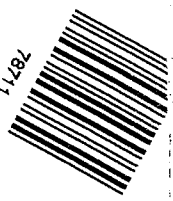
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DEC 2022 PM 2 L

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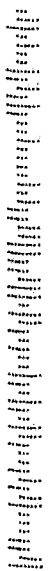
Office of the Chief Clerk, MC 105

TCEQ

Po Box 13087

Austin, TX 78711-3087

78711-308787



## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 21, 2022 9:30 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

**From:** trinityjo81@hotmail.com <trinityjo81@hotmail.com>  
**Sent:** Tuesday, December 20, 2022 10:34 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Jennifer New

**EMAIL:** [trinityjo81@hotmail.com](mailto:trinityjo81@hotmail.com)

**COMPANY:**

**ADDRESS:** 7874 FM 879  
PALMER TX 75152-9117

**PHONE:** 8176581515

**FAX:**

**COMMENTS:** This MUD will completely ruin my home value but the smell and oder from a treatment plant and leach fields in my back yard. I moved to the country to get away from the big city and big city crime - this MUD is wanting to bring 800 low income homes to our community. It's going to push coyotes closer to my livestock and destroy our 1 lane roads. Palmer ISD will be destroyed and the small town school I wanted for my children will be gone - my son has some

learning difficulties that get taken care of because the student teacher ratio is good and with this MUD our schools will be overflowing

7874 FM 879  
Palmer TX 75152

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:42  
CHIEF CLERKS OFFICE

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger for the creation of Shankle Road Municipal Utility District of Ellis County.

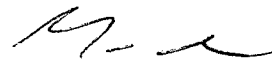
I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **7874 FM 879, Palmer TX 75152.**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

1. Smells And Odors From The Sewer Treatment Plant (My Property Is In Viewing Distance From This Proposed Site)
2. Rehoming Wildlife – We Have Cows, Chickens And Goats – This Will Cause Predator Animals To Relocate To And Possibly Harm My Livestock
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4. Emergency Services – There Is No Emergency Services – We Have A Volunteer Fire Department And A County Sherriff Officer That Do Not Have The Manpower Or Equipment To Handle A Development This Size
5. Crime – I Moved To The Country To Get Away From Crime And Thugs – This Development Creates A HUGE Threat To My Family And Families Around Us Bringing In 800 Low Income Homes
6. Schools – Palmer School District Is A Small 3A School That Will Be Completely Ruined With This Many People Added- They Do Not Have The Resources Or Money To Support This Kind Of Growth.

REVIEWED  
DEC 23 2022  
IV

Respectively submitted,



Michael New

817-726-3875

New

7874 Am 879

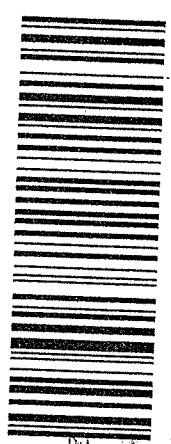
Palmer TX 75152

ON ENVIRONMENTAL QUALITY

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UNITED MAIL



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NORTH TEXAS  
PO DEC 2022



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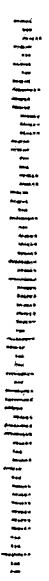
Office of the Chief Clerk, me 105

TCEQ

Po Box 13087

Austin, TX 78711-3087

78711-3087





DEU

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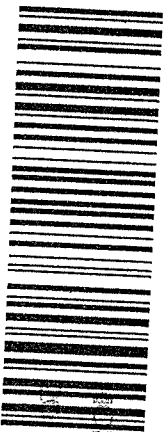
Palmer TX 75152

COMMISSION  
ON ENVIRONMENTAL  
QUALITY

7072 DEC 22 PM 2: 26

CHIEF CLERKS OFFICE

GUARANTEED MAIL

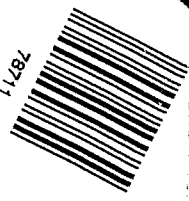


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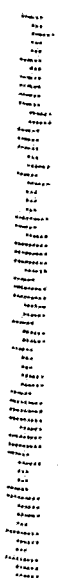
Office of the Chief Clerk, MC 105

TCEQ

Po Box 13087

Austin TX 78711-3087

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29DEC '22 10:51

TCEQ 000

Stephanie New  
7876 FM 879  
Palmer, TX 75152

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED

JAN 03 2023  
By ECW H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 7876 FM 879, Palmer, TX 75152.

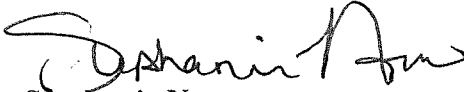
The creation of this Utility District uniquely and adversely affects me in the following way(s):

- **Smells/ Odors from sewer treatment plant will directly affect my property. Our land is viewing distance from the proposed site and wind would direct potential smells and odors directly to us.**
- **An extensive affect to impact of wildlife study is demanded from the petitioner. As a land and animal owner (chickens, goats and cattle) this development will force predatory animals to relocate and potentially propose imminent harm to our animals. In addition, many migratory animals such as geese, ducks and heron are often seen on the land proposed for the development and will affect their habitat as it is destroyed.**
- **Trash/ debris/ clutter will directly affect our property due to proximity of the proposed development. No proposal has been made on how to address the negative impact of such waste.**
- **Impact on roads in the immediate area relative to the size and additional population added in a rural community should be considered.**
- **Emergency services for this area are volunteer departments and are not equipped to handle the additional services, manpower and equipment needed to support this size of a development.**
- **Safety and crime is an extensive concern as a close landowner. The addition of a low cost housing development creates additional threats to the personal safety of my family and surrounding families.**



- **Impact on Palmer School District should be taken into consideration. Palmer is a small school district and this development would potentially double the size of it in a short amount of time. The resources available for this small district would not be able to affectively support the sudden influx of this number of students and would potentially harm the education of current students.**

Respectively submitted,



Stephanie New

817.846.3184



**Ellie Guerra**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 28, 2022 10:01 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

H

**From:** anicolaysen007@yahoo.com <anicolaysen007@yahoo.com>  
**Sent:** Friday, December 23, 2022 11:57 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Andrew Nicolaysen

**EMAIL:** [anicolaysen007@yahoo.com](mailto:anicolaysen007@yahoo.com)

**COMPANY:**

**ADDRESS:** 668 SHANKLE RD  
ENNIS TX 75119-0106

**PHONE:** 4693836910

**FAX:**

**COMMENTS:** I request denial of the creation of Shankle Road MUD and request a contested case hearing. The creation of this MUD serves to negatively impact my family's property which would share a boundary with the proposed development, and the adverse effects of the Shankle Road MUD would continue to extend to much of the surrounding area. This development serves to increase the amount of litter and trash along roadsides, waterways and drainage ditches, and the encroachment of the trash into surrounding properties which poses a hazard to livestock and other

wildlife. The area affected by this MUD in both proximity and throughout the proposed drainage area is predominately agricultural, with land used for hay, crop, and livestock production. Litter and trash, such as plastic bottles and food containers, aluminum cans, and foam containers have a substantial negative impact as they can become hidden in tall crops and grasses and inadvertently baled and mixed into animal feeds, which poses a hazard if ingested. In addition, the litter and trash inevitably generated by this development clogs culverts and other drainage infrastructure, causing flooding which damages roads and property, and only continues to pollute land and property further along the drainage path. The proposed construction of a wastewater treatment plant brings concern of odors and other airborne contaminants which serve to negatively impact the health and overall quality of life of those around and downwind of the facility. Additional concerns are sewage spills and contamination of land and groundwater from wastewater overflow and mismanagement. The drainage and runoff from this wastewater treatment plant would also serve to increase flooding and erosion along the flow path. An extensive Environmental Impact Study should be provided as well as an extensive Drainage Plan regarding the flow path throughout the entirety of Ellis County. The Shankle Road MUD would displace approximately 180 acres of vegetation, wildlife, and ecological diversity. As uncultivated land with pasture/native prairie grasses and trees, the land serves as a habitat for local and migratory bird populations, armadillos, opossums, rabbits, and other wildlife. With the displacement of these animals would come the displacement of predatory animals, such as coyotes, to the surrounding area, posing a threat to cattle and house pets. An Environmental and Ecological Impact Study as well as a Wildlife Impact Study should be provided. The Shankle Road MUD would only increase the deterioration of Shankle Road as well as FM 660 and FM 879 as the proposed 800 houses/dwellings would equate to approximately 1600 additional vehicles traveling these roads. The rural roads around this area are not meant nor constructed to handle that capacity of vehicles on a regular basis and this only leads to increased traffic, accidents, and undue burdens on the county to continually maintain and upkeep these roads, especially Shankle Road. This proposed development having such a high density of housing is cause for concern in the case of emergencies such as fire. The small lot sizes and proximity of each present the issue of fire containment as one house fire could ignite the adjacent one and so on. With only rural volunteer fire departments in the area, the resources and response time are not available for adequate fire protection and containment of fire in a development as dense as the Shankle Road MUD is proposed to be. A fire within this development also threatens surrounding homes, agricultural land, pastures, and animals. This area regularly experiences drought conditions and 800 additional homes only serve to exacerbate the threat of fire and possibilities of its spread into wildfires. This high density housing also strains other emergency services such as the Ellis County Sheriff's Department as an increase in crime, theft, and vandalism cannot be discounted when considering the potentially large amount of homes and people in the proposed development.

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

668 SHANKLE RD  
Ennis, TX 75119

December 21, 2022

2022 DEC 21 AM 11:16

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

CHIEF CLERKS OFFICE

REVIEWED

DEC 21 2022

Gaw H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **668 SHANKLE RD.**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

1. **Increase of litter, trash, and debris along roadsides and encroachment of these items into both property and waterways; negatively impacting water quality and posing a hazard to livestock and other animals/wildlife.**
2. **Odors and other airborne contaminants from the proposed wastewater treatment facility serve to negatively impact human health and overall quality of life around and downwind of the facility.**
3. **Drainage/runoff from the proposed development and treatment plant serves to increase the amount of stagnant water within the drainage area, creating breeding-grounds for mosquitoes and water-borne pathogens.**
4. **Excessive runoff/flooding from the proposed development site serves to contribute to soil erosion and the displacement of topsoil into waterways and drainage infrastructure, such as culverts and creek beds.**

Respectively submitted,

**Andrew Nicolaysen**

**469-383-6910**

Nicolayson  
668 Shankle Rd  
Ennis, TX 75119

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
**CERTIFIED MAIL**



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U.S. POSTAGE PAID  
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ENNIS, TX  
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R2304M115704-89

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 21 AM 11:16

CHIEF CLERKS OFFICE

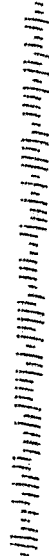
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P.O. Box 13087  
Austin, TX 78711-3087

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DEC 21 2022

TCEQ MAIL SERVICE  
AJ

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TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

668 Shankle Road  
Ennis, TX 75119

December 21, 2022

2022 DEC 21 PM 1:19

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

CHIEF CLERKS OFFICE

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DEC 21 2022

Sw H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 668 Shankle Road.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

1. **I very much have a great concern with smells and odors from this sewage treatment plant. I fear environmental issues if this treatment plant is built i.e proper management of this site once the developers have moved on from this project.**
2. **I have a great concern about the amount of trash, debris & clutter this project will generate to our area if it is built.**

Respectively submitted,



Daniel J Nicolaysen

972-880-6771

**Marielle Bascon**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, December 22, 2022 10:03 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

**From:** Nicolaysend63@gmail.com <Nicolaysend63@gmail.com>  
**Sent:** Wednesday, December 21, 2022 3:53 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Dan Nicolaysen

**EMAIL:** [Nicolaysend63@gmail.com](mailto:Nicolaysend63@gmail.com)

**COMPANY:**

**ADDRESS:** 668 SHANKLE RD  
ENNIS TX 75119-0106

**PHONE:** 9728806771

**FAX:**

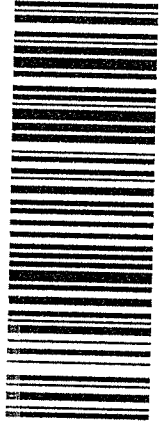
**COMMENTS:** To Whom this may concern at the TCEQ, I request the denial of the creation of the Shankle Road MUD. As a resident living near this property on Shankle Rd my biggest concern will be the character of people that this will bring into this peaceful quiet neighborhood. This is nothing but a glorified apartment/townhome property or possibly a manufactured home development. These units will end up being lease or rental units with people moving in and out all the time. This will not end up as a true Homeowners Association with rules and guidelines that will need to be followed



if you live in this development. This will end up turning into a low rent area and will bring the value of my property down over time. The traffic that this will create on Shankle Road will be unimaginable. I cannot fathom the traffic jams that will be created on the road when these people are trying to get to FM 660 or FM 879. Please note that this is a small narrow rural road and cannot handle the influx of traffic this will create. With the amount of traffic that will be up and down Shankle Rd on a given day or week, this will weaken and destroy the integrity of this road and I really don't think that Ellis County will want to continually maintain this road and if they have too, this will continually increase our taxes each year due to road maintenance. My family has pastureland that backs up to this property and I am concerned with the welfare of our livestock that will be grazing in this pasture. I fear that the type of people living in this area will possibly disturb these animals by feeding them things that they should not consume, or God forbid taking shots at them just for fun. I fear an increase in crime coming out of this development as there will not be a strong police presence in the area if trouble were to arise. The Ellis County sheriff's department is spread out over a large area at the present time thus if something were to happen the response time would be very slow. The rural volunteer fire departments will also have a challenge on their hands with trying to provide fire protection to such a large development. If a fire were to start in this property it would be a nightmare to get it extinguished given the type of structures these are supposed to be. The wastewater treatment plant on this property is also very troublesome to me. Who is going to monitor and maintain this facility especially once the developer moves on? I fear this will be left to whoever to try to maintain and not sure if the TCEQ would be too keen on a wastewater treatment plant being left unmanaged. Also, where is this development supposedly getting water? If they were to obtain water from our local rural water supply district this would very much deplete the water pressure to my property that is available now. East Garrett Water Supply is almost at capacity for its infrastructure. So, what is their plan? I appreciate the opportunity to express the many concerns that I have stated against this proposed Shankle Road MUD plan. Respectfully, Dan Nicolaysen

Nicolaysen  
668 Shankle Rd  
Ennis, TX 75119

**CERTIFIED MAIL**



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ON ENVIRONMENTAL  
QUALITY

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668 Shankle Rd  
Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

**REVIEWED**

DEC 28 2022

By GCW H

TCEQ DCC

27DEC '22 15:01

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **668 Shankle Rd Ennis TX 75119**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

1. **There will certainly be an increase of trash, litter & debris along our roadsides and waterways which will surely impact water quality and will pose a hazard to residents, livestock and other animal/wildlife in this area.**
2. **This will create an odor in the areas surrounding this development. This is sure to negatively impact human health in the area and spread a stench in whatever way the wind is blowing thus affecting the overall quality of life of the residents in this area.**
3. **All of this so-called runoff is sure to increase the amount of stagnant water within the so called drainage area thus creating a breeding ground for mosquito activity as well as other water-borne pathogens.**
4. **I have a great concern as to who and how this treatment plant will be managed and inspected.**

Respectively submitted,

Janet Nicolaysen

972-742-4723

Nicolayson  
668 Shankle Rd  
Ennis, TX 75119

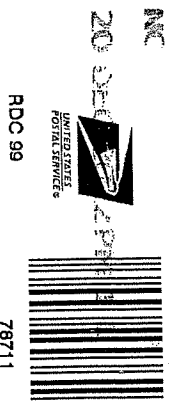
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OF THE RETURN ADDRESS. FOLD AND POST HERE

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668 Shankle Rd  
Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 23 2022  
By Geo H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 668 Shankle Rd, Ennis, TX 75119, south of the proposed project.

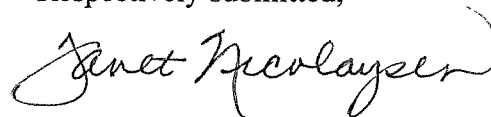
The creation of this Utility District uniquely and adversely affects me in the following way(s):

- Water runoff
- Flooding/drainage
- Smells/odors
- Inadequate water supply
- Wildlife impacts
- Trash/debris/clutter

Not only the environmental impacts as mentioned above, but the issues regarding fire protection, emergency services and overcrowded schools:

- Traffic – congestion on Shankle Rd and all surrounding roads
- Schools – the additional households will create an estimated 1040 students. This will create a huge burden on all property owners in Palmer ISD – there are only 2 elementary schools.
- Emergency services – Garrett and Bristol fire departments are not equipped to handle the additional services, manpower and equipment needed for the additional development.
- Safety/crime – the additional low-cost housing developments create additional threats of theft, vandalism, and additional crimes that will create additional burdens to Ellis County Sheriff Dept. This is a major concern of protection for all residents of Ellis County.

Respectively submitted,



Janet Nicolaysen

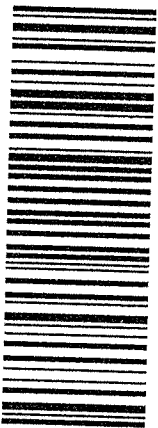
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668 SHANKLE RD  
ENNIS TX 75119

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OFFICE OF THE CHIEF CLERK, MC 105

TCEQ

P O Box 13087

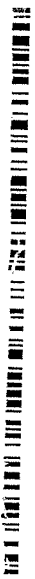
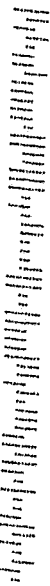
AUSTIN TX 78711-3087

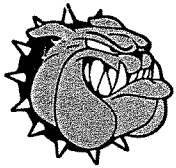
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27DEC 22 10:34

PLACE THIS LABEL TO THE LEFT OF THE POSTAGE

78711-3087 12/22





# Palmer

INDEPENDENT SCHOOL DISTRICT

Kevin Noack, *Superintendent*

REVIEWED

DEC 23 2022

Gaw H

December 20, 2022

Palmer ISD  
303 Bulldog Way  
Palmer, TX 75152

TCEQ 000

28DEC '22 10:08

Office of the Chief Clerk, MC105  
TCEQ  
P.O.Box 13087  
Austin, TX 78711-3087

IN Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn. Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

My property is located at 303 Bulldog Way, Palmer, TX.

The creation of this Utility District uniquely affects Palmer ISD in the following ways:

Creates undue hardship on our current taxpayers. The number of school age children would nearly double based on the average number of children in each of the 800 homes. Depending on the age of the children, and the number of school age children in each household, it would result in a bond election for one or more campuses. At this time, we do not have the bond capacity to build multiple campuses.

Thank you,

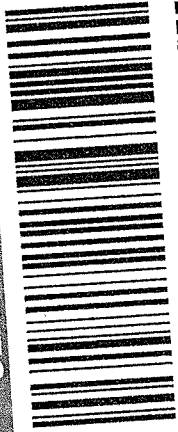
Kevin Noack  
Superintendent  
Palmer ISD



**Palmer**  
INDEPENDENT SCHOOL DISTRICT

303 Bulldog Way • P.O. Box 790 • Palmer, TX 75152

VENTILATED ZIPPER



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RDC 99



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PALMER, TX  
75152  
DEC 20, 22  
AMOUNT  
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Office of the Chief Clerk, MC105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

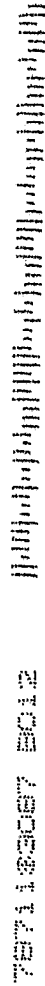
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DEC 28 2022

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TCEQ DOC

28DEC 22 10:08





**Adolph F. Novy**  
740 Novy Rd.  
Ennis, TX 75119

December 21, 2022  
Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 20 2022  
By Gou H

In Re: Petition D-08222022-044, petitioned by Steve Selinger  
Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. It is my 3 sons and I residing here. The properties are located at:

- Adolph F. Novy – 740 Novy Rd.**
- David Novy – 610 Novy Rd.**
- Bryan Novy – 606 Novy Rd.**
- Steven Novy – 704 Novy Rd.**

We are affected by this project due to the fact that 4 Mile Creek is our property border line. It runs through roughly 2 miles of our property, then bows off to the Trinity River. This creek also supports agriculture and wildlife, including 2 bald eagles that frequently stay and feed, since the land surrounding it are pastures and hay harvest. Thank you for your consideration.

Sincerely, *Adolph F. Novy*

972-225-5303

Signatures - *Adolph F. Novy*  
*David Novy*  
*Bryan Novy*  
*Steven Novy*

Date - 12-20-2022

27 DEC 22 10:28

000 0301



Adolph Novy  
740 Novy Rd  
Emmis, TX 75119-0002

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DEC 27 2022

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RETURN RECEIPT  
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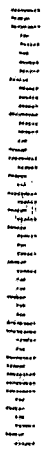
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TX TEXAS TX PDPC  
DALLAS TX 750  
DEC 2022 PM9



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TCED  
P.O. Box 13087  
Austin, TX 78711-3087*

78711-308787



78711

U.S. POSTAGE PAID  
FCM LETTER  
WILMER, TX  
75172  
DEC 21, 22  
AMOUNT

**\$7.25**

R2304P119202-05

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:43  
CHIEF CLERKS OFFICE

In Re: **Petition D-08222022-044, petitioned by Steve Selinger**

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request.

My property is located at: **1218 Novy Rd., Ennis TX 75119** and my contact information is noted at the bottom of this page.

The creation of this Utility District uniquely and adversely affects me in the following ways:

- 1) The environment downstream of a 4-mile creek of pasture to wildlife and cattle.
- 2) The amount of water flow during normal times and flooding times. Flooding on the roads, maintenance of county roads, erosion of soil, etc. An extensive drainage plan needs to be a necessity of the entire path of drainage/flooding in Ellis County.
- 3) The potential smell during hot summers, droughts or at any other time.  
An extensive Environmental impact Study needs to be done regarding excessive water generated by the development and effects of crop contamination downstream.
- 4) Mosquitos
- 5) The ongoing pollution expelled from the retention ponds and potential chemicals from the MUD District.
- 6) The impact of more traffic, schools (huge burden on property owners), additional fire services and emergency response, and safety/crime for Ellis County sheriff Dept.
- 7) Developing property with a high density of housing will create an excessive amount of waste. How is this going to be addressed (trash, debris, and clutter)?
- 8) An extensive wildlife impact study needs to be done for ducks, geese, coyotes, pets and livestock.

REVIEWED

DEC 23 2022

EV 

Respectively submitted,

*Dale Novy*

Dale Novy  
1218 Novy Road  
Ennis, TX 75119  
Cell 214 679-5136

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 22 PM 2:24

CHIEF CLERKS OFFICE

*Dele Navy*  
*1218 Navy*  
*Fenniss TX*  
*Rt. 75119*

**CERTIFIED MAIL**



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FORM LETTER  
FENNIS, TX  
DEC 19, 22  
AMOUNT  
**\$7.85**  
R2304M113349-03

*Office of the Chief Clerk,*

*7022-1670-0001-5390-7318*  
*PO Box 13087*

78711-3087  
*Postmaster: Please do not open this mail.*

4755 FM 879  
Palmer, TX 75152

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 28 2022  
By Gau H

TCEQ OCC

In Re: Petition D-08222022-044, petitioned by Steve Selinger

27DEC '22 14:54

Attn: Chief Clerk

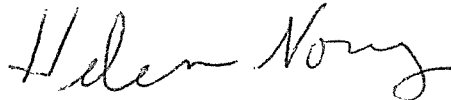
I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 30 acres on the corner of Trojacek Road and Eason Road in Ellis County.

The creation of this Utility District uniquely and adversely affects me in the following way (s);

1. An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of crop contamination downstream. Flooding and drainage will be negatively impacted from this development. An extensive drainage plan should be undertaken for all areas around the development. The 30 acres I own are used for hay production for local cattle farmers.
2. Smells/odors from the sewer treatment plant will impact the environment of this area and the homes located adjacent to my land. The plans submitted by the Petitioner are inadequate for the proposed development and additional developments the developer may add to the District.
3. There are not adequate emergency services for a development of this size for this area. The surrounding fire departments, emergency medical services, and police services are not equipped with manpower or equipment to support this level of development in this area.

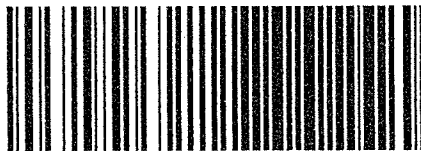
Respectively submitted,



Helen Novy

Navy  
4755 Fm 879  
Palmu, TX 75152

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OF THE RETURN ADDRESS FOLD AT DOTTED LINE



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DEC 27 2022

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Office of the Chief Clerk, MC-105

TCEQ

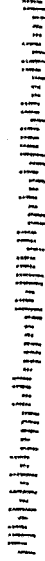
P O Box 13087

Austin, TX 78711-3087

78711-308787

TCEQ 000

27DEC 22 14:54



201 Spring Creek Dr  
Waxahachie, TX 75165

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **152 Trojacek Rd, Ennis, TX 75119**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

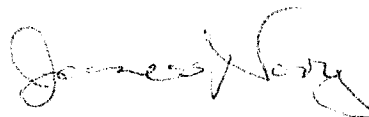
TEXAS  
COMMISSION  
ON  
ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:30  
CHIEF CLERK'S OFFICE

- **Water runoff and soil erosion** – Has a drainage plan been submitted by the Petitioner? Will an environmental impact study be demanded of the petitioner? I'm concerned that the drainage will not be adequate and will cause flooding for all adjacent landowners. This will lead to erosion of the soil and extensive change to the environment affecting wildlife.
- **Wildlife impact** – The proposed development is and historically has been a nesting ground for wildlife due to the extensive number of trees and brush cover used by wildlife in the area. All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. I sincerely request that an extensive wildlife impact study be provided and demanded from the petitioner.

REVIEWED  
DEC 23 2022  
By                     

H

Respectively submitted,



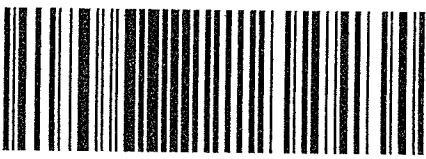
James Novy

817-688-0297



J. Henry  
201 Spring Creek  
Waxahatchee, TX 75165

7022 1670 0001 5390 8780



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
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2022 DEC 22 PM 2:28

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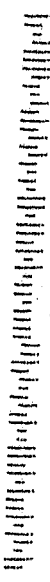
CHIEF CLERKS OFFICE  
Office of the Chief Clerk, MC 105

TCEQ

P.O. Box 13087

Austin, TX 78711-3087

78711-308787



December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:43  
CHIEF CLERKS OFFICE

In Re: **Petition D-08222022-044, petitioned by Steve Selinger**

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request.

My property is located at: **1218 Novy Rd., Ennis TX 75119** and my contact information is noted at the bottom of this page.

The creation of this Utility District uniquely and adversely affects me in the following ways:

- 1) The environment downstream of a 4-mile creek of pasture to wildlife and cattle.
- 2) The amount of water flow during normal times and flooding times. Flooding on the roads, maintenance of county roads, erosion of soil, etc. An extensive drainage plan needs to be a necessity of the entire path of drainage/flooding in Ellis County.
- 3) The potential smell during hot summers, droughts or at any other time.  
An extensive Environmental impact Study needs to be done regarding excessive water generated by the development and effects of crop contamination downstream.
- 4) Mosquitos
- 5) The ongoing pollution expelled from the retention ponds and potential chemicals from the MUD District.
- 6) The impact of more traffic, schools (huge burden on property owners), additional fire services and emergency response, and safety/crime for Ellis County sheriff Dept.
- 7) Developing property with a high density of housing will create an excessive amount of waste. How is this going to be addressed (trash, debris, and clutter)?
- 8) An extensive wildlife impact study needs to be done for ducks, geese, coyotes, pets and livestock.

REVIEWED

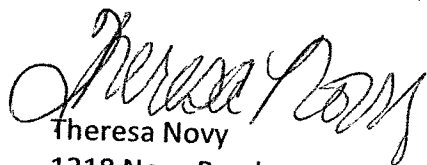
DEC 23 2022

DV 

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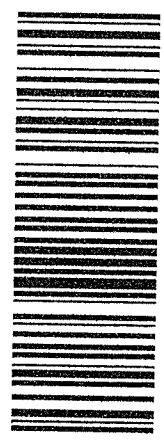
Respectively submitted,

A handwritten signature in black ink, appearing to read "Theresa Novy". The signature is written in a cursive, flowing style.

Theresa Novy  
1218 Novy Road  
Ennis, TX 75119  
Cell 972 935-3472

Theresa Navy  
1218 Navy Rd.  
Ennis, TX 75119

CERTIFIED MAIL



7022 1670 0001 5390 7301

2022 DEC 02 PM 2:24

MISSION QUALITY



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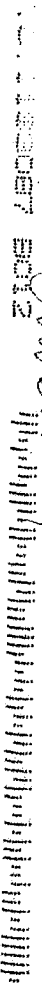
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DEC 19, 22  
AMOUNT  
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R2304M113349-03

Office of the Chief Clerk - 105

TRERO

PO Box 13087

Quentin Jr 78711-3087



6910 FM 879  
Palmer, TX 75152

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 6910 FM 879, Palmer, TX 75152.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- Inadequate water drainage throughout the surrounding properties
- Flooding. No drainage plan has been provided for the area to my knowledge
- Sewer treatment plant effects, i.e. smells, odors, etc. winds will carry over to other properties and drainage again will effect this
- Wildlife, crops, livestock effects. Impact studies should be provided by the development
- Trash and clutter. Highly densed housing will create excessive amounts of trash and clutter
- Traffic. The additional traffic in the area and safety of its residents is of great concern causing congestion and road deterioration
- Schools, emergency services, fire protection. All will be negatively impacted.
- Safety of residents. The addition of low-cost housing will create the threat of crime, theft, vandalism

Respectively submitted,



Chris Pace

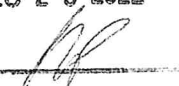
214-384-6255

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 4:00  
CHIEF CLERKS OFFICE

REVIEWED

DEC 23 2022

By



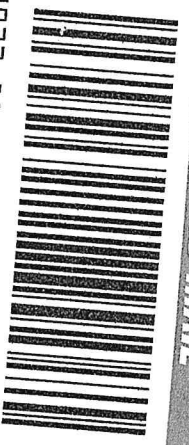
H

Chris Pace  
6910 FM 879  
Palmer, TX 75152

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

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PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLLOW DOTTED LINE  
**CERTIFIED MAIL**  
LEANS OFFICE



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Office of the Chief Clerk, MC 105  
TCEQ  
P. O. Box 13087  
Austin, TX 78711-3087

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R2304M113118-12

6910 FM 879  
Palmer, TX 75152

December 20, 2022

REVIEWED  
DEC 28 2022  
By Gau H

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TCEQ OCC

27DEC '22 14:52

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 6910 FM 879, Palmer, TX 75152.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- Inadequate water drainage throughout the surrounding properties
- Flooding. No drainage plan has been provided for the area to my knowledge
- Sewer treatment plant effects, i.e. smells, odors, etc. winds will carry over to other properties and drainage again will effect this
- Wildlife, crops, livestock effects. Impact studies should be provided by the development
- Trash and clutter. Highly densed housing will create excessive amounts of trash and clutter
- Traffic. The additional traffic in the area and safety of its residents is of great concern causing congestion and road deterioration
- Schools, emergency services, fire protection. All will be negatively impacted.
- Safety of residents. The addition of low-cost housing will create the threat of crime, theft, vandalism

Respectively submitted,



Kelsie Pace

972-310-2696

Kelsie Pace  
6910 FM 879  
Palmer, Tx 75152

2541 22 0502

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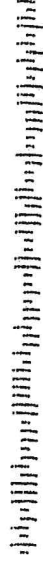
Office of the Chief Clerk, MC 105  
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Austin, TX 78711-3087

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DEC 27 2022

TCEQ MAIL CENTER  
CJ

78711-308767





3631 FM 85  
Ennis, TX 75119

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

We request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

We are affected persons entitled to a contested case hearing on the issues raised in this hearing request. Our property is located at 3631 FM 85 Ennis TX 75119, approximately 7 acres bordering the south side of the Burns Branch watershed, and adjacent to the drainage courses immediately impacted by the proposed development.

The creation of this Utility District uniquely and adversely affects us in the following way(s):

We have concern that the petition fails to adequately address the potential damaging impact of water runoff on neighboring properties as well as those downstream from the proposed development together with any potential additional load from any future adjoined and / or unadjoined additions to the development, whether natural runoff or water discharged from storm collection systems and sewage treatment plants.

Water runoff from recent high-density housing developments in the area has resulted in extensive erosion of watercourses, creek banks, roads and rights-of-ways. Soils removed by the various forms of runoff from these once stable landscapes are clogging creeks, silting-in drainage channels and spreading debris across open lands and water courses.

We are specifically concerned that the water runoff from the proposed development and potential expansions of the project will directly impact the watershed that drains our property as it merges with the downstream properties in the Telico drainage system.

We therefore request comprehensive hydrological drainage and environment impact studies be required of the petitioner addressing these concerns.

Respectively submitted,

  
Stephen R. Patterson, 972-896-5831

  
Janice G Patterson, 972-898-8321

REVIEWED

DEC 23 2022

By



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TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
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CHIEF CLERK'S OFFICE

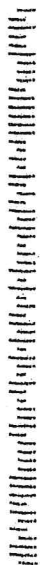
7202 1670 0001 5390 7240



**CERTIFIED MAIL**  
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OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

*Office of the Chief Clerk*  
MC 105  
TC EQ  
PO BOX 13087  
Austin TX 78711-3087

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CHIEF CLERKS OFFICE

2022 DEC 22 PM 2:25

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

2022 DEC 21 PM 1:16

CHIEF CLERKS OFFICE

Steve Perry  
190 Novy Rd.  
Ennis, Texas 75119  
972-217-6089

In Re: Petition D-08222022-044, petitioned by Steve Selinger

REVIEW

DEC 21 2022

GCW H

To: Whom it may concern,

I am requesting a contested hearing regarding the Shankle road MUD application TCEQ docket # 2021-1442, petitioned by Steve Selinger petition # D-08222022-044. I am an affected person entitled to a contested hearing request. My wife and I recently built our forever home located at 190 Novy Rd. Ennis, Texas 75119. I recently learned that within a few miles of our home that the applicant has applied for a permit to construct a sewer plant for a residential development on 180 acres, and the developer plans to build 800 homes on this parcel of property. This type of high-density housing will adversely affect every property owner in the area who enjoys privacy and farming. I found it unbelievable that developers have found a way around County rules by creating MUD districts. I found it more unbelievable that a developer can create a MUD district which will include a sewer processing plant and the developer is able to walk away from it leaving it to the homeowner's association to hire personnel to operate this sewer facility. This type of development is better suited within the incorporated city limits of a city so that water, sewer, and public safety can be provided. This MUD district is not good for the area or Ellis County. I am not anti-development; however, I am against this type of high-density housing development in the area. I have been a Police Officer for 26 years. The roads can't sustain the increased volume of traffic this development brings. Traffic accidents will increase, and studies have shown that crime is increased with high density development and the quality of life for homeowners who have lived in the area for many years will be diminished. Additionally, we enjoy seeing the wildlife that travels through the entire area and onto our properties. This type of development will cause harm to wildlife and to the many farmers who have livestock and farm this area. Please say no to this on an onsite sewer processing plant.

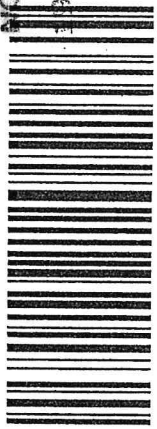
Respectfully,



Steve Perry

Steve Perry  
190 Navy Rd.  
Ennis, TX. 75119

**CERTIFIED MAIL**



NORTH

DEC 21



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75141  
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COMMISSION  
ENVIRONMENTAL  
QUALITY

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CHIEF CLERKS OFFICE

TCEQ  
office of the Clerk  
PO Box 13087  
Austin, TX. 78711-3087

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DEC 21 2022

TCEQ MAIL CENTER,  
AJ

78711-308787



## Christina Bourque

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**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, January 10, 2023 3:47 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

H

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**From:** joeposs8839@yahoo.com <joeposs8839@yahoo.com>  
**Sent:** Tuesday, January 10, 2023 1:34 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Joe Poss

**EMAIL:** [joeposs8839@yahoo.com](mailto:joeposs8839@yahoo.com)

**COMPANY:**

**ADDRESS:** 106 BECK ST  
PALMER TX 75152-9695

**PHONE:** 2149129469

**FAX:**

**COMMENTS:** I am concerned regarding the impact of farming, wildlife, drainage, the school district, and our infrastructure. I would like to request a contested hearing for this permit.

**Ellie Guerra**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, January 4, 2023 2:28 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044  
**Attachments:** Pouzar Contested Hearing Request 3.1.pdf

H

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**From:** alstoncarol@yahoo.com <alstoncarol@yahoo.com>  
**Sent:** Wednesday, January 4, 2023 2:22 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Charlie J Pouzar

**EMAIL:** [alstoncarol@yahoo.com](mailto:alstoncarol@yahoo.com)

**COMPANY:**

**ADDRESS:** 1013 SHANKLE RD  
ENNIS TX 75119-0115

**PHONE:** 9728752996

**FAX:**

**COMMENTS:** These comments are uploaded in addition to previous comments, in order to provide additional information.

January 3, 2023

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a denial of Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County. If TCEQ gives approval of the Petition, then I request a contested hearing.

My property is located at 1013 Shankle Road, directly across Shankle Road from the Selinger property and downstream of the proposed stormwater and treated wastewater stream discharge point. My family has lived on and farmed the property continuously since 1908.

In previous comments for the Wastewater Permit WQ0016103001 and for this Petition D-08222022044, I stated that the new treated wastewater stream and increased stormwater runoff will alter the natural nature of the Unnamed Tributary and Four-mile Creek in ways that are detrimental to my ranching livelihood. Both tributaries are currently shallow, well-vegetated depressions in the terrain, and they will become eroded ravines with this added water flow. The soil is a blackland prairie type which is a gooey morass when wet. The attached photo shows the Unnamed Tributary natural flow path.

I am submitting these comments because my previous comments did not detail the extent of the hardship that will be imposed upon me. Please refer to attached Exhibit A, which shows the location of my affected ranch facilities and pastures, and the route of Unnamed Tributary and Four-mile Creek.

My 167-acre property is bisected by the Four-mile Creek and Unnamed Tributary, with 25 acres on one side and 132 acres on the other. At my homestead, shown in the inset detail, are my equipment shed, feed barn, maintenance shop, and corral. These facilities are on the 25 acre side and serve two herds: heifers and mature cattle. I do not have duplicate facilities on the other side of the tributaries.

The total 167 acres is divided into multiple pastures with each pasture separated with fencing and gates. Cattle are regularly rotated into different pastures for grazing, in order to prevent overgrazing and to maintain healthy, productive land.

The quarantine pasture is used to treat sick cattle or to quarantine newly purchased cattle before they join one of my existing herds.

If the Petition is approved, both herds will be cut off from my facilities:

- I will have no way to vaccinate, medically treat, or load my cattle into a trailer for sale if my cattle cannot get to the feed barn and corral.
- My cattle will not be able to cross the flowing stream without getting bogged down in the mud and drowning.
- My tractors and farm equipment will not be able to cross a muddy ravine.

- The new stream will bisect my ranch, with the bulk of my acreage separated from my barns, specialized pens and corral. I will be unable to corral and load my cattle for sale.
- The heifer pasture will be bisected, causing the heifers to lose grazing acreage.

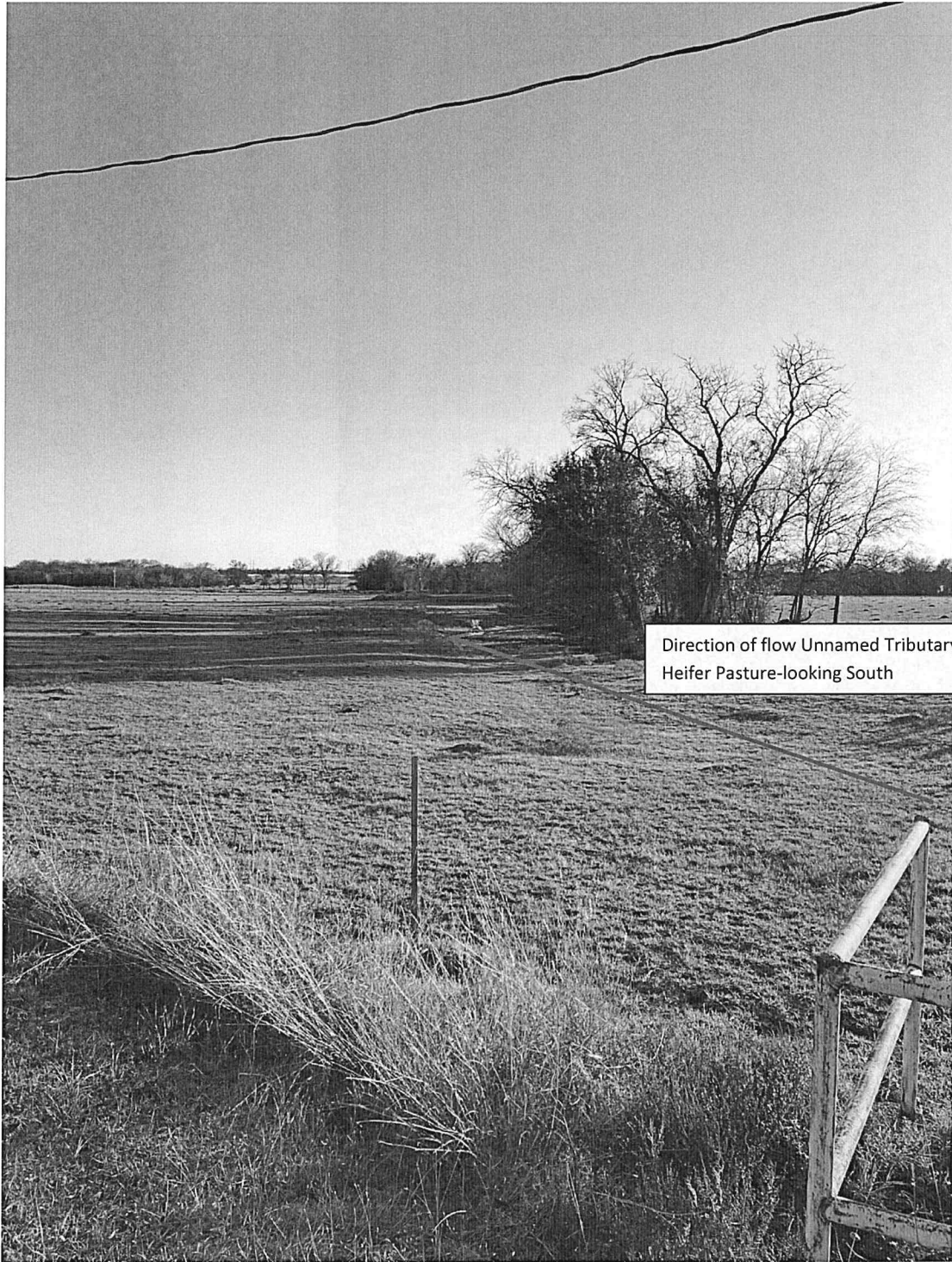
Building duplicate facilities on the other side of the creek and reconfiguring the existing pastures would be a hardship and great expense. If done, the new facilities would permanently cause more manhours to be expended in daily cattle care since I would lose the convenience of having the facilities in my backyard where the cattle can be closely watched.

Also, the watershed from the proposed District provides a water supply that will be tainted with chemical fertilizers, pesticides, and herbicides after development, and the treated domestic wastewater stream will be contaminated with medicines and household chemicals. The watershed flows into stock tanks and will be ingested by downstream cattle.

Respectfully submitted,

Charlie J. Pouzar  
(972) 875-2996  
1013 Shankle Road  
Ennis, TX 75119





Direction of flow Unnamed Tributary-  
Heifer Pasture-looking South



EXHIBIT A: POUZAR Ranching Operations

Key:

- 1 Equipment Shed
- 2 Feed Barn
- 3 Maintenance Shop
- 4 Corral and Vaccination Chute
- 5 Quarantine/Sick Bay Pasture
- 6 Transitional Pasture
- 7 Heifer Pasture
- 8 Mature Herd Pastures
- 9 Pecan Orchard

**Ellie Guerra**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, January 4, 2023 1:35 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044  
**Attachments:** Petition D08222022044 Comments.docx

H

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**From:** jcpecan@live.com <jcpecan@live.com>  
**Sent:** Wednesday, January 4, 2023 1:25 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Jeff Pouzar

**EMAIL:** [jcpecan@live.com](mailto:jcpecan@live.com)

**COMPANY:**

**ADDRESS:** 501 TROJACEK RD  
ENNIS TX 75119-1469

**PHONE:** 2149492447

**FAX:**

**COMMENTS:** Comments can be found in the attached file

501 Trojacek Rd  
Ennis, TX 75119

January 4th, 2023

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 501 Trojacek Rd, Ennis, TX 75119. My father's property resides directly across from the Selinger property and is effected by the following discussion. I am co-owner of the herd of cattle that reside on this property.

After further review of documents submitted by Selinger, there are additional issues/corrections in need of addressing. Selinger's Proposed Drainage, Exhibit A does not reflect the existing water flow as provided by the US Geological Survey as shown in exhibit B. Water flow enters his property approximately 3900 ft from Shankle Rd. and continues along the northern boundary in his property until it crosses Shankle Rd.

Selinger's waste water discharge diagrams as shown in Exhibit C and D drastically alters water flow away from his property and onto adjacent properties. If the discharge point is as shown in Exhibit C and D, the water route would immediately return to his property and continue toward Shankle Rd. The discharge water would not exit the Selinger property until it crosses Shankle Rd. Exhibit E is a photo of the where the water crosses Shankle Rd through a culvert. The tree line in the left portion of the photo is Selinger's northern boundary.

Selinger is attempting to divert the natural flow of surface water and is in violation of the Texas Water code Section 11.086. 'No person may divert or impound the natural flow of surface waters in this state, or permit a diversion or impounding by him to continue, in a manner that damages the property of another by the overflow of the water diverted or impounded.'

Respectively submitted,

Jeff Pouzar  
214-949-2447

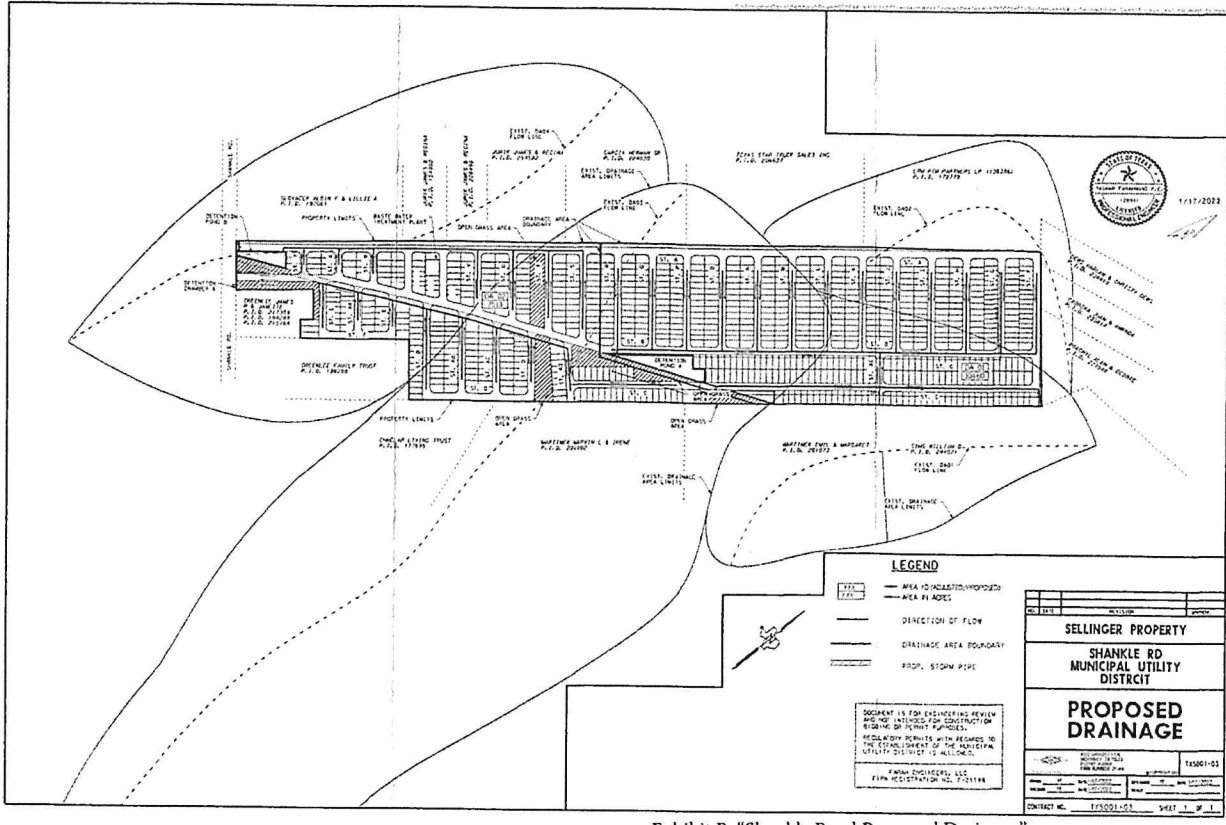
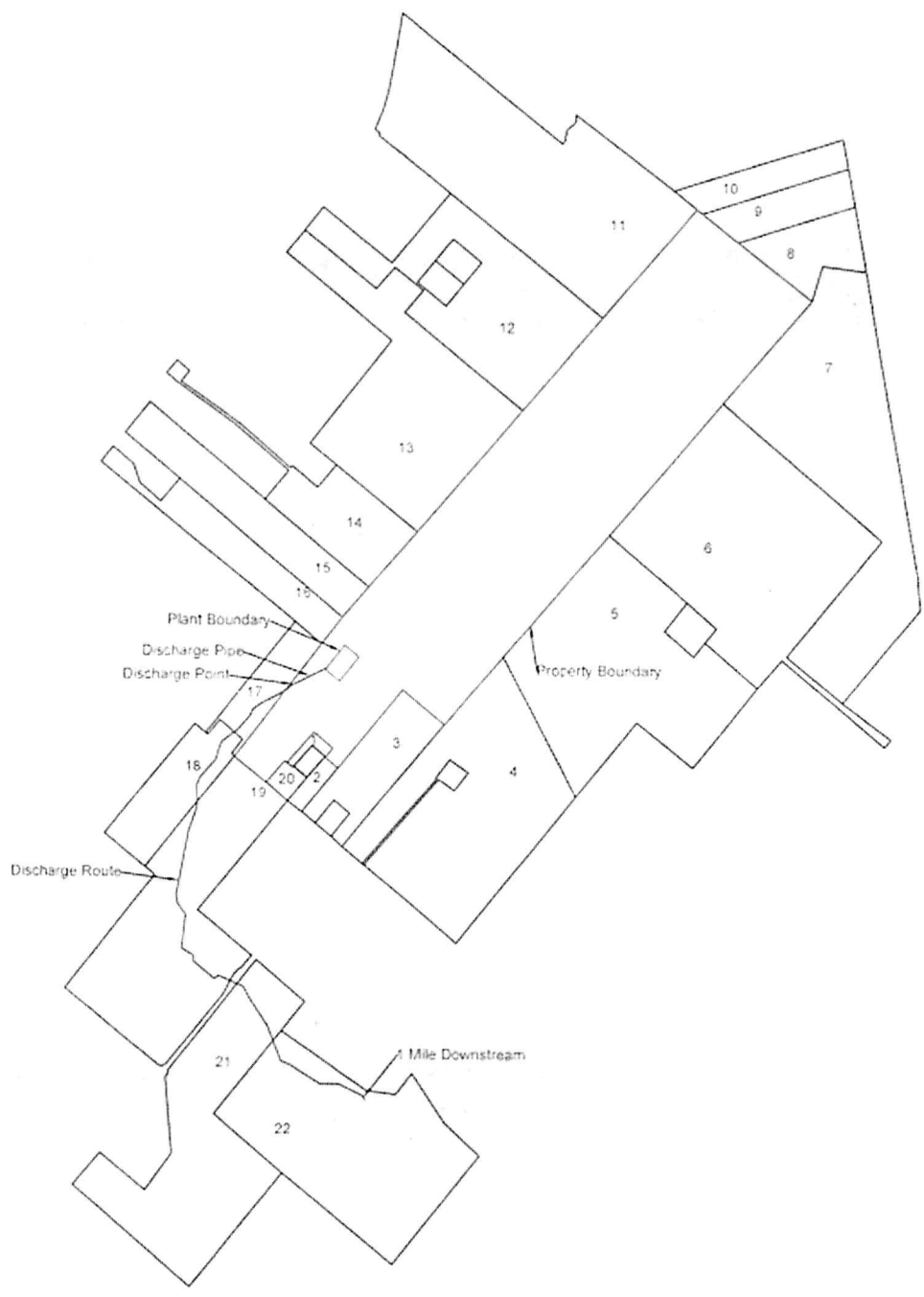


Exhibit B: "Shankle Road Proposed Drainage"

Exhibit A: Proposed Drainage

Exhibit B: USGS Topo watershed





Date January 18, 2022 Drawn by CE Scale 1" = 1400'	consulting environmental engineers, inc. <small>201 N. Beckley Street - Suite 100 - Dallas, Texas 75201          (214) 242-1100 Fax (214) 242-1101 Email ce@ceeinc.com          Registered Office: P.O. Box 10000</small>	Shankle Road WWTP Stephen Selinger Palmer, Texas Affected Landowners Map	Sheet 002
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Exhibit C

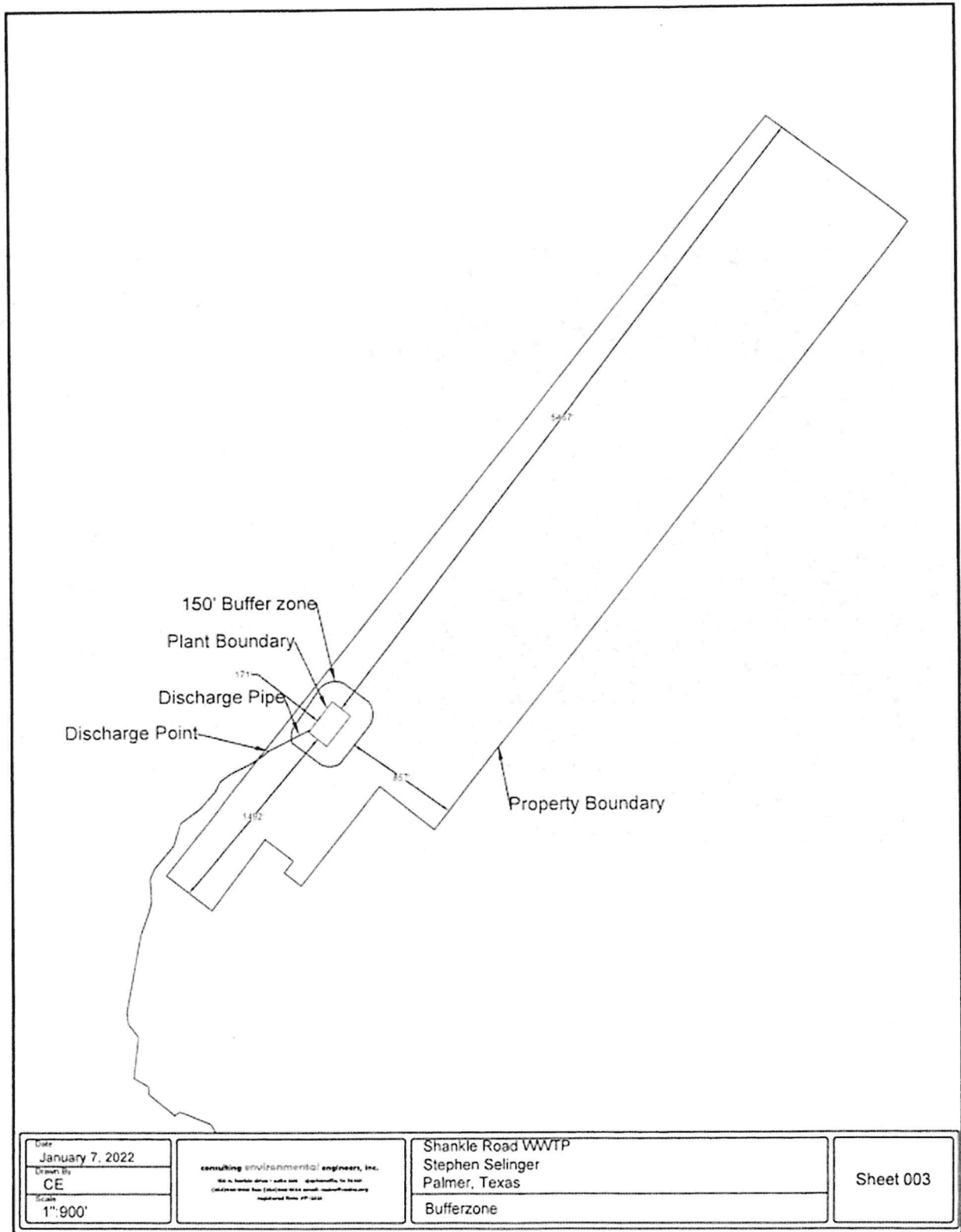


Exhibit D





## Christina Bourque

---

**From:** Brad Patterson  
**Sent:** Monday, January 9, 2023 11:22 AM  
**To:** PUBCOMMENT-OCC2  
**Subject:** FW: Public comment on Permit Number D08222022044  
**Attachments:** Petition D08222022044.docx

H

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**From:** jcpecan@live.com <jcpecan@live.com>  
**Sent:** Wednesday, January 4, 2023 8:39 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Jeff Pouzar

**EMAIL:** [jcpecan@live.com](mailto:jcpecan@live.com)

**COMPANY:**

**ADDRESS:** 501 TROJACEK RD  
ENNIS TX 75119-1469

**PHONE:** 2149492447

**FAX:**

**COMMENTS:** Comments are in the attached file.

501 Trojacek Rd  
Ennis, TX 75119

January 4th, 2023

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

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After further review of documents submitted by Selinger, there are additional issues/corrections in need of addressing. Selinger's Proposed Drainage, Exhibit A does not reflect the existing water flow as provided by the US Geological Survey as shown in exhibit B. Water flow enters his property approximately 3900 ft from Shankle Rd. and continues along the northern boundary in his property until it crosses Shankle Rd.

Selinger's waste water discharge diagrams as shown in Exhibit C and D drastically alters water flow away from his property and onto adjacent properties. If the discharge point is as shown in Exhibit C and D, the water route would immediately return to his property and continue toward Shankle Rd. The discharge water would not exit the Selinger property until it crosses Shankle Rd. Exhibit E is a photo of the where the water crosses Shankle Rd through a culvert. The tree line in the left portion of the photo is Selinger's northern boundary.

Selinger is attempting to divert the natural flow of surface water and is in violation of the Texas Water code Section 11.086. 'No person may divert or impound the natural flow of surface waters in this state, or permit a diversion or impounding by him to continue, in a manner that damages the property of another by the overflow of the water diverted or impounded.'

Respectively submitted,

Jeff Pouzar  
214-949-2447

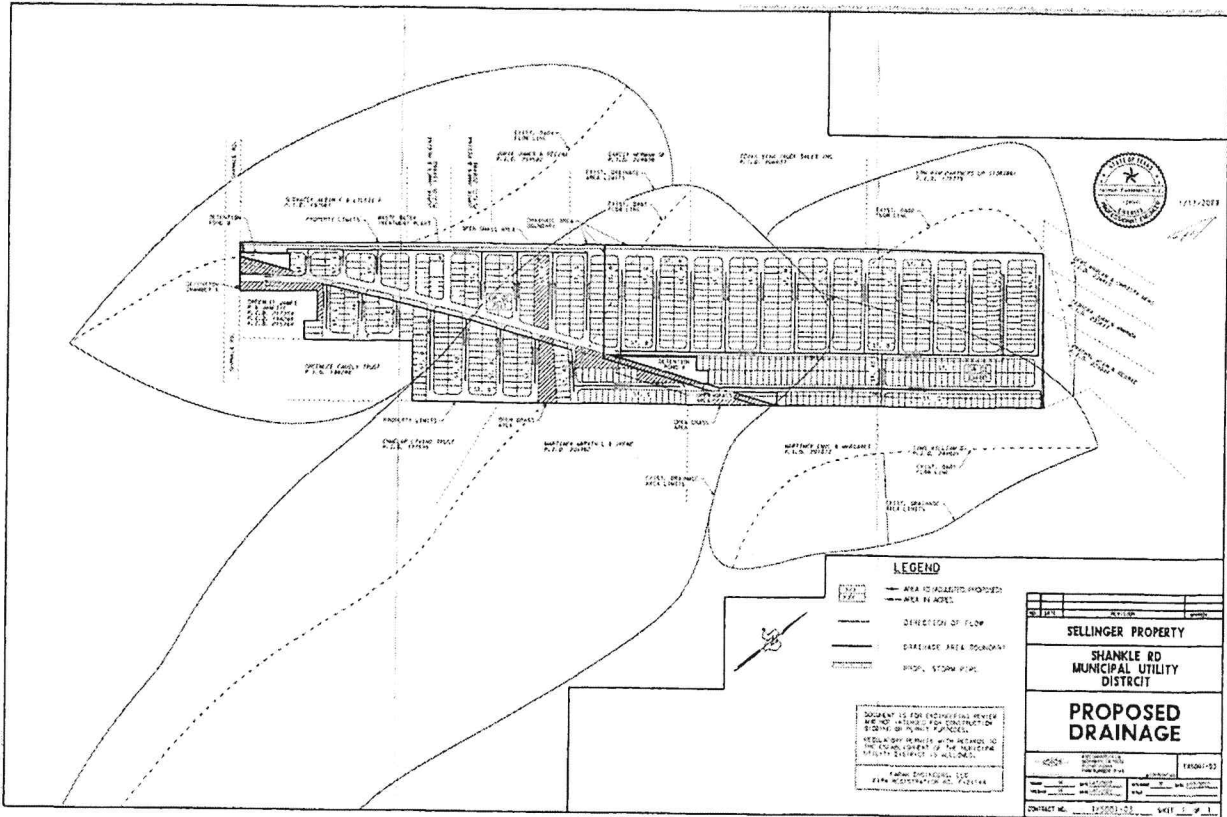
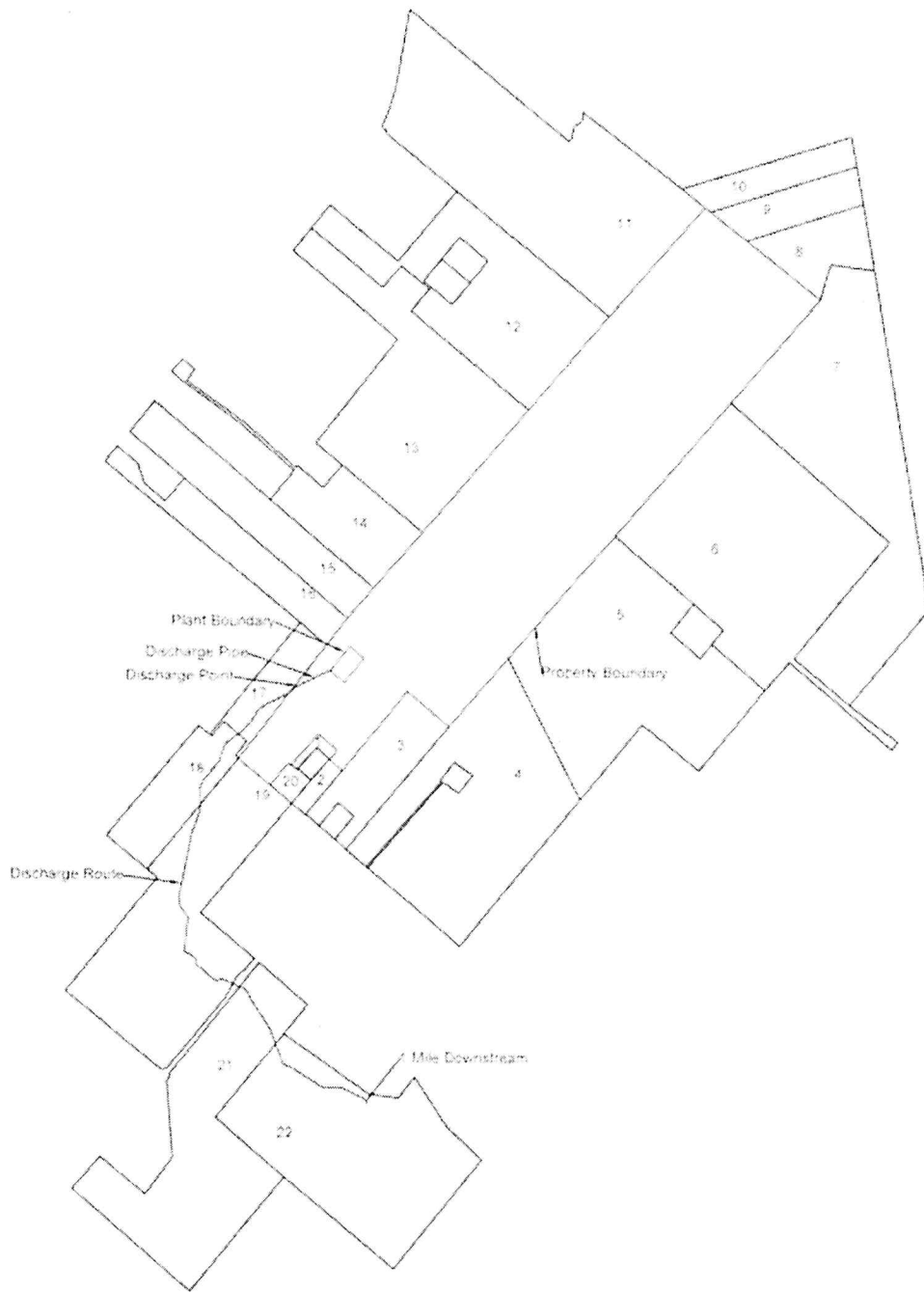


Exhibit B: "Shankle Road Proposed Drainage"

Exhibit A: Proposed Drainage

Exhibit B: USGS Topo watershed





Date  
January 18, 2022  
Drawn by  
CE  
Scale  
1" = 1400'

consulting environmental engineers, inc.  
100 N. Harbor Street, Suite 1000, Houston, TX 77001  
Tel: 281.486.1100 Fax: 281.486.1101  
www.ce-engineers.com

Shankle Road WWTP  
Stephen Selinger  
Palmer, Texas  
Affected Landowners Map

Sheet 002

Exhibit C

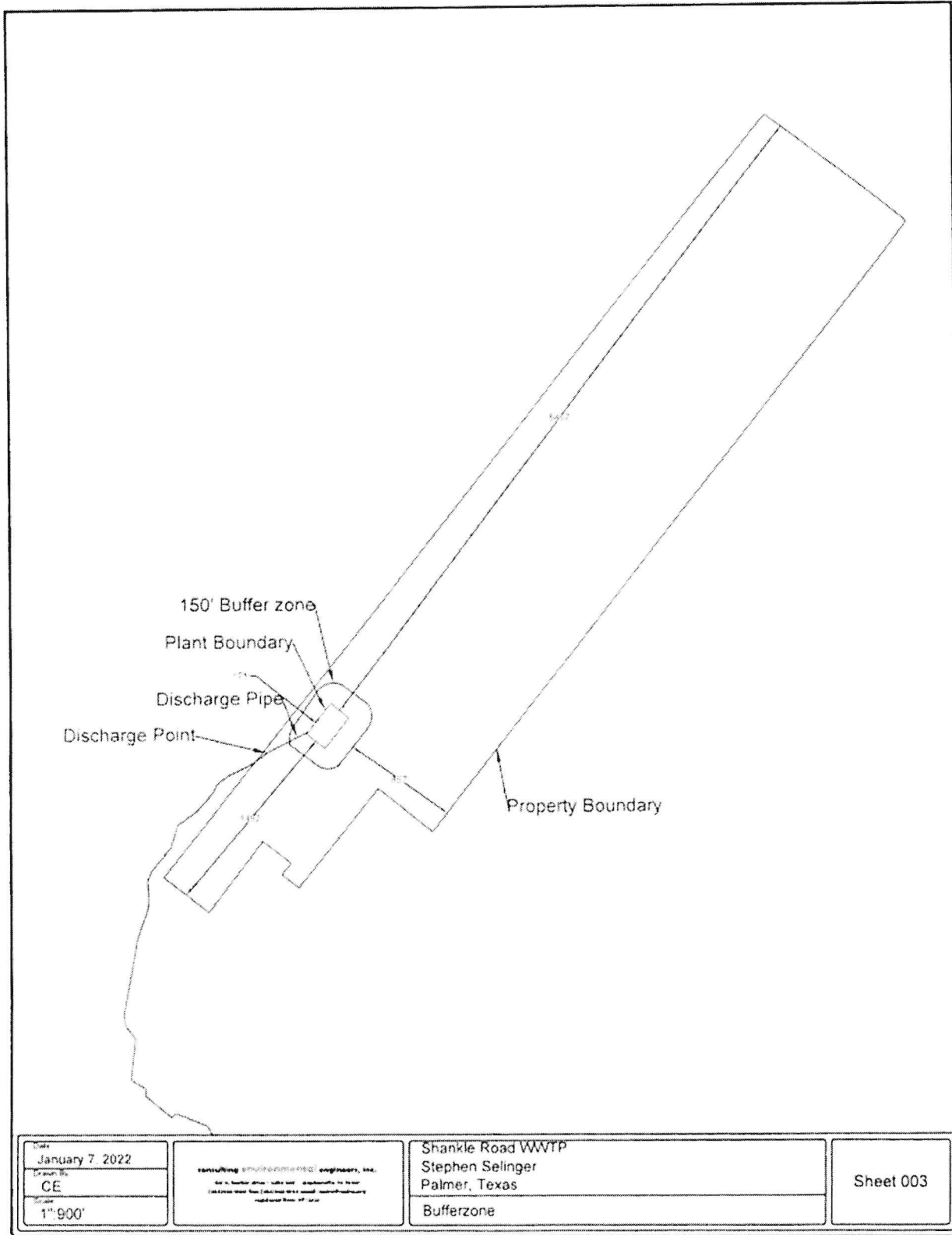


Exhibit D





501 Trojacek Rd  
Ennis, TX 75119

December 16, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 23 AM 9:54  
CHIEF CLERKS OFFICE

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 501 Trojacek Rd, Ennis, TX 75119.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

Regarding the installation of the wastewater system and its discharge location. I'm co-owner of the herd of cattle grazing on the property of Charlie Pouzar. The drainage will render a sizeable area of flatland unusable. After the discharge crosses Shankle Rd. the water enters and spreads out over a flat area of land before flowing into Four Mile Creek. This area currently provides grazing, a pond for cattle drinking and fishing, and pecan trees grown for harvesting. I am opposed to the permit as it will negatively affect my family's use of this land.

REVIEWED

DEC 23 2022

*[Signature]*

*A*

Respectively submitted,

*[Signature]*

Jeff Pouzar  
214-949-2447

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 23 AM 9:53

CHIEF CLERKS OFFICE

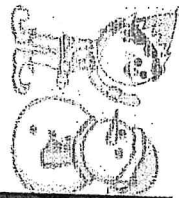
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AM

RECEIVED  
DEC 23 2022



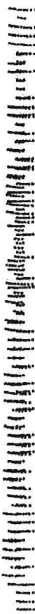
Jeffrey C. Pouzar  
501 Trojacek Rd.  
Emms, TX 75119

NORTH TEXAS TX P&DC  
DALLAS TX 750  
19 DEC 2022 PM 5 L



Office of the Clerk, MC 105  
TCEQ  
PO Box 13087  
Austin, TX 78711-3087

787 48938808787



Alan F. Prachyl  
7686 FM 660  
Ennis, Texas 75119

December 19, 2022

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

REVIEWED  
DEC 20 2022  
By: Gcu H

**In Re: Petition D-08222022-044, petitioned by Steve Selinger**

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, Petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 7686 FM 660. My property has a direct connection on the East side of the above listed proposed Utility District. We have a shared property line. I have enclosed your map with my property notated.

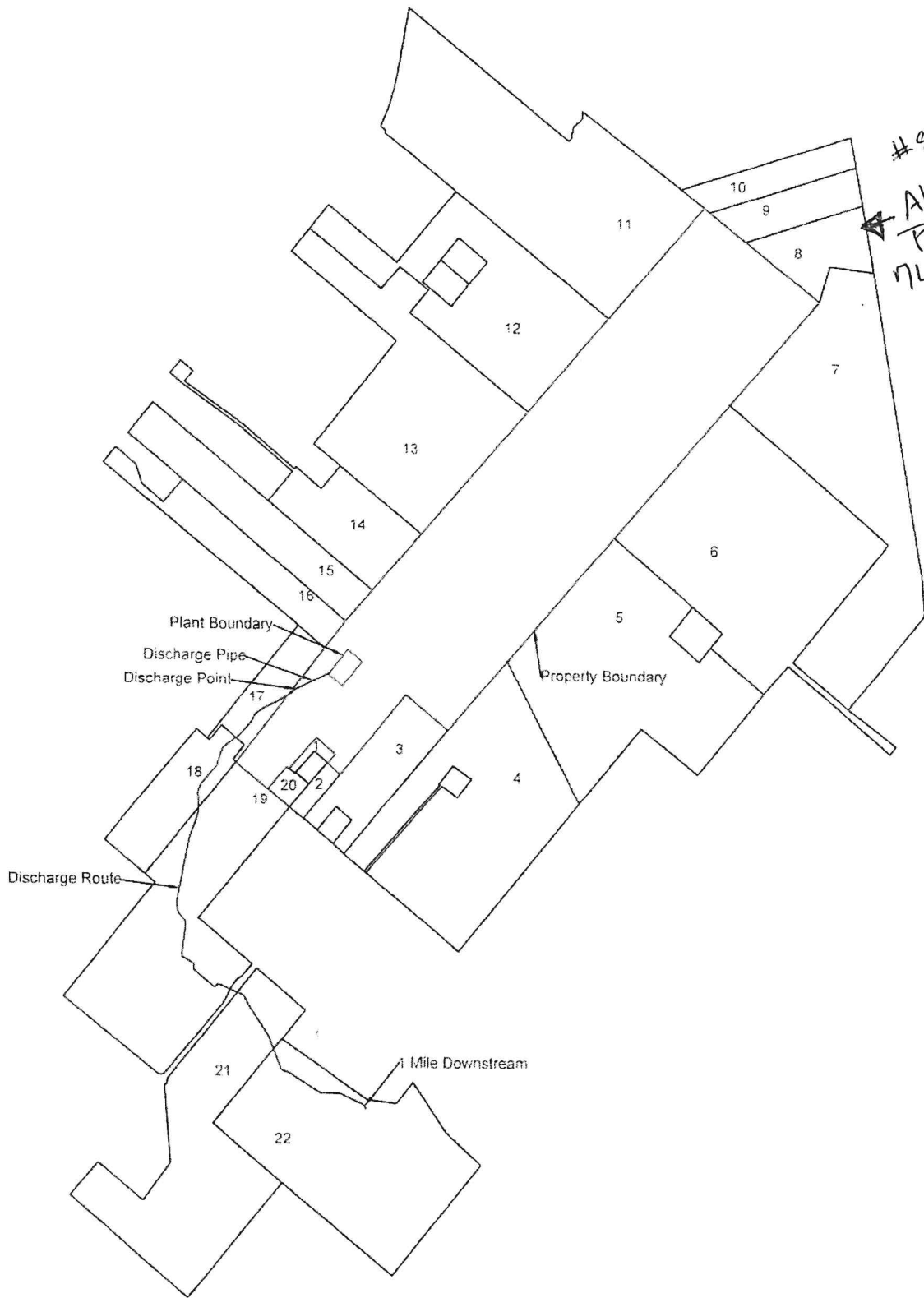
The creation of this Utility District uniquely and adversely affects me in the following ways:

My property sits at a much lower grade to the proposed Utility District. Eight hundred proposed homes with the extensive paving and of coverage of the natural topography would mean excess run off on to my property and unnamed creek a few yards from the east boundary of the proposed Utility District. The majority of my property is already a flood plain and the run off would be devastating for my acreage, creek and not least of all, my home. I want an expected "drainage plan study" done for the entire path thru this area and the entirety Ellis County.

My property currently sits in water many times after heavy rains because we are on a low lying area that higher surrounding properties drain to on the way to the creek. The unnamed creek that wraps a few yards from the back border with the proposed Utility District around to the south side of my property where the creek then runs under FM 660 and continues on. We have had flooding within 30 feet of our house as it is. It has taken days to drain with retained areas of water for weeks. With the additional run off, I foresee much worse flooding due to increased drainage flow issues. Any debris that hangs up in the fence lines and culvert causes more of a drainage problem. Being down country from this Utility District would certainly mean more trash debris.

The Utility District is proposing a waste water management system that can/will cause odor issues for all of the surrounding homeowners. This small area with this amount of houses packed in will certainly not be odor free is potentially a huge issue. The smell would devalue my property and our enjoyment of our outdoor spaces including a large porch, green house and garden. Septic water and normal yard run off containing weed control or fertilizing products from yards for eight hundred homes would most certainly be in the water expected to drain down to my lower elevation and creek. I don't believe the

11:25 AM 12/20/22



Date  
January 18, 2022

Drawn By  
CE

Scale  
1" = 1400'

consulting environmental engineers, inc.  
150 N. Herkin Drive - Suite 600 - Stephenville, TX 75781  
(254) 968-8130 Fax (254) 968-8134 email: ceinfo@ceeinc.org  
registered firm #F-2323

Shankle Road WWTP  
Stephen Selinger  
Palmer, Texas  
Affected Landowners Map

Sheet 002

proposal adequately shows water treatment responsibility for all people involved. I also want an environmental impact study of the waste water and the results it will have on the effected creeks, flood plains and crop contamination in the fields surrounding and downstream.

We currently are home to nesting owls. We have seen deer, bobcats, raccoons and wild turkey in our wooded pasture. I don't believe that will continue with eight hundred homes on 180 acres just yards from our property and from the fouling of the creek where these animals drink and hunt. I also want a wildlife study done especially for the migratory birds that we see on our property and the proposed utility district land. An entire habitat would be destroyed by this utility district.

The amount of trash and debris created by this many houses packed into this 180 acres will not be inconsequential. As custom home owners this creates a major issue and devalues all we have worked to have with our property. This neighborhood like many others before it will become more and more neglected by time. It is detrimental to all of us surrounding this proposed utility district to be subject to something that devalues our properties just so that a developer not from our community/town/county can build numerous small with minimal budget houses and no plans to regulate or maintain the utility district.

This proposed Utility District sits on a narrow two lane county road that runs between other county roads that have to be accessed by the houses in the Utility District. I have seen nothing that says these roads will be maintained by the District. It will certainly be an issue to maintain the roads in and out of the district by our county without significant tax increases to all of us. Our county tax dollars are already stretched thin.

As close as I am to this proposed Utility District, I also am very concerned about the crime and vandalism this kind of neighborhood could spark and about the emergency services for this many concentrated houses in my county. It is overwhelming to build this Utility District with the current county services we now have. I know it would negatively impact all of us in Ellis County with police, fire and ambulance coverage for starters. There is no county trash service. What is the developers plan for this? Burning? There are frequent burn bans making the burning of trash not an option. Even without a ban, burning would negatively impact the whole area and is hazardous. I see no restrictions in place for maintaining trash pickup. Our schools would certainly be impacted with the addition of this many people so quickly. This would be overwhelming to Palmer ISD and their bus service and unfair to the children involved. The school tax would also be raised for this reason.

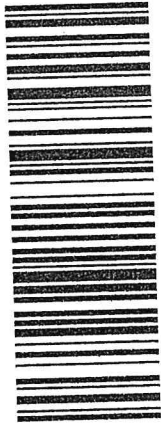
Overall, the negative effects for this Utility District are extensive. I see no positives for Ellis County residents. As a homeowner with a border to this property, I demand studies for drainage, environmental waste and run off water and wildlife impact directly effecting mine and my neighbor's properties. Other studies on our roads, schools, fire, police, ambulance and trash also need independent research done to fully comprehend what this developer is trying to build.

Respectively,

Alan Prachyl  
972 935 3082

A handwritten signature in black ink that reads "Alan Prachyl". The signature is written in a cursive, flowing style.

Alan & Debbie Prachyl  
7686 FM 690  
Ennis, TX 75119



7020 3160 0001 6895 4196



78711



RDC 99

*Office of the Chief Clerk, MC-105*

*TCEQ*

*PO Box 13087*

*Austin, TX 78711-308*

RECEIVED

DEC 27 2022

TCEQ MAIL CENTER  
AJ

TCEQ OCC  
27DEC '22 10:25



7871193087 8012

**Ellie Guerra**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 28, 2022 10:01 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

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**From:** Prachyla@yahoo.com <Prachyla@yahoo.com>  
**Sent:** Saturday, December 24, 2022 11:15 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Alan Prachyl

**EMAIL:** [Prachyla@yahoo.com](mailto:Prachyla@yahoo.com)

**COMPANY:**

**ADDRESS:** 7686 FM 660  
ENNIS TX 75119-2075

**PHONE:** 9729353082

**FAX:**

**COMMENTS:** My property is directly behind the MUD on Shankle road. My land shares a property border. My property sits in a flood plain as well as my home. The MUD is at a higher elevation .I'm concern about the drainage and all run off coming my way creating additional flooding!!!! Also we have a lot of wild life here-owls deer turkeys bobcats and others not mentioned. 800 hundred homes and additional people and noise pollution would cause harm and stress to me as

well as to the environment . I am very much opposed to any development to this adjacent property . Concerned land owner, Alan Prachyl



Deborah L. Prachyl  
7686 FM 660  
Ennis, Texas 75119

December 19, 2022

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

REVIEWED  
DEC 20 2022  
Gau H  
TCEQ OCC  
27DEC '22 15:26

**In Re: Petition D-08222022-044, petitioned by Steve Selinger**

Attn: Chief Clerk

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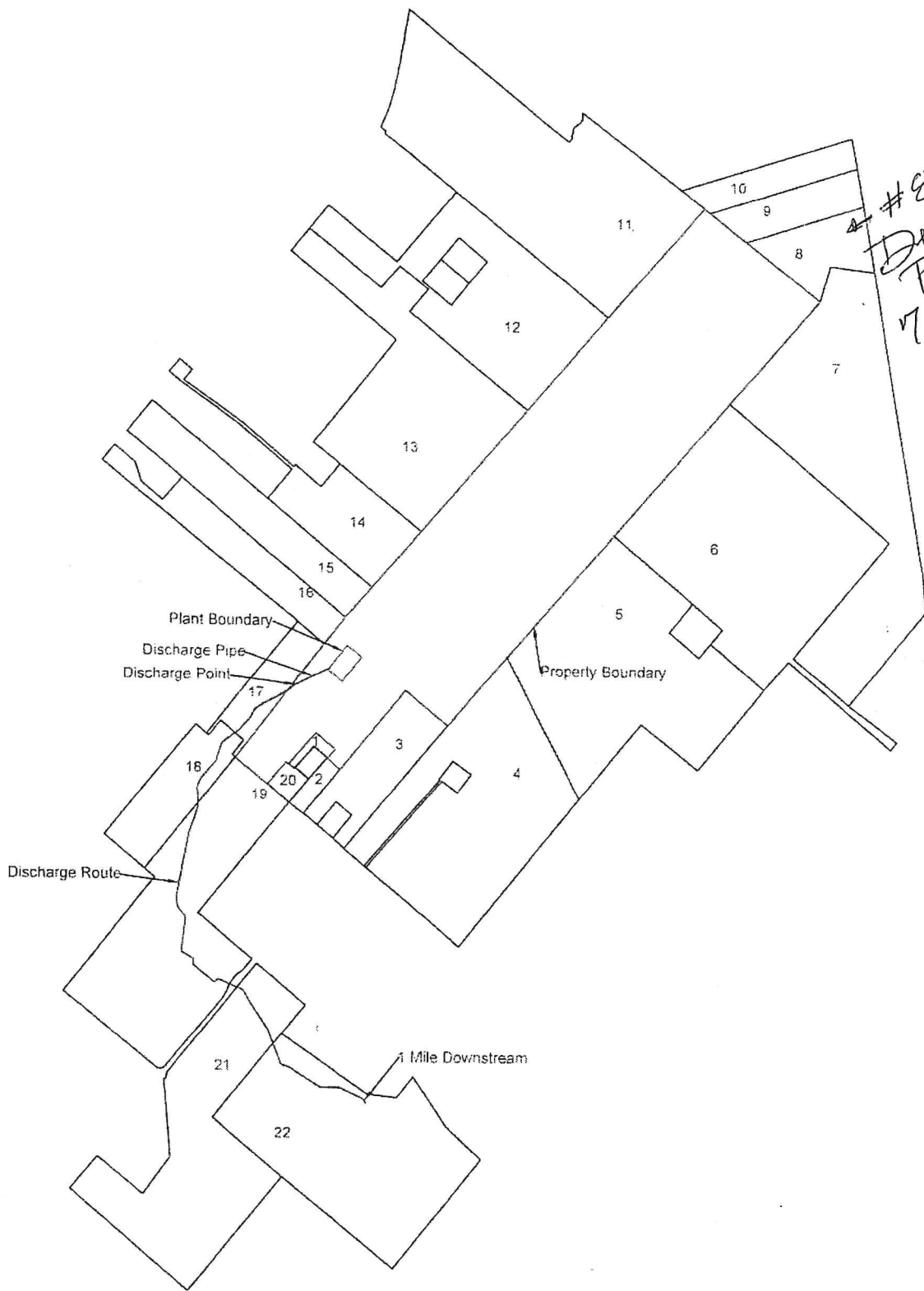
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Respectively,



Debbie Prachyl  
972 935 3715



Date  
January 18, 2022

Drawn By  
CE

Scale  
1" = 1400'

consulting environmental engineers, inc.  
128 N. Durbin Ave. Suite 400 | Nashville, TN 37203  
(252) 944-0133 Fax: (252) 944-0134 email: ceinfo@ceeinc.org  
Registered Firm #P-3232

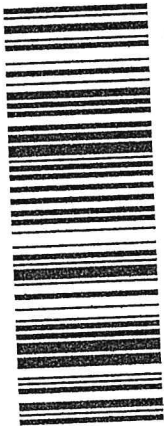
Shankle Road WWTP  
Stephen Selinger  
Palmer, Texas

Affected Landowners Map

Sheet 002

*Prichard  
7684 FM 660  
Crown TX 75119*

**CERTIFIED MAIL**



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NORTH TEXAS TX 750  
20 DEC 2022 PM 7 L



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DEC 27 2022

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*Office of the Chief Clerk MC-105  
TCDEQ  
PO Box 13087*

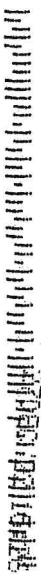
TCDEQ 0000

2022 DEC 22 15:26

*Austin, Texas 78711-3087*

TCDEQ 0000

78711-3087



## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, December 22, 2022 2:40 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044

H

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**From:** dprachyl@hotmail.com <dprachyl@hotmail.com>  
**Sent:** Thursday, December 22, 2022 2:00 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Deborah Prachyl

**EMAIL:** [dprachyl@hotmail.com](mailto:dprachyl@hotmail.com)

**COMPANY:**

**ADDRESS:** 7686 FM 660  
ENNIS TX 75119-2075

**PHONE:** 9729353715

**FAX:**

**COMMENTS:** I request denial of the creation of Shankle Road MUD. The creation of this MUD would directly cause hardship and damage to my adjoining property. The excess run off, waste water and flooding would be devastating to my property. I am directly east of this MUD with an adjoining property line at a much lower elevation. All natural run off drains into my property now and the additional amount with 800 houses covering the property will be much more damaging. The odor from a waste water facility and the trash generated by this neighborhood would be significant and

would destroy the enjoyment of my own property. Vandalism and theft cannot be discounted either. I seriously doubt the wildlife we currently enjoy would stick around the area. We have nesting owls, deer and migratory birds. The influx of students in the ISD and the over use of the local roads by the increased traffic would be a huge problem. The lack of emergency services such as fire, police, ambulance and other utility services such as trash are non-existent. All of these things would create a bigger burden on all Ellis Co tax payors not just the neighbors. The proposed 800 homes on 180 acres mean small lots in a high density area that will severely impact all of us surrounding it with undue hardship, loss of property value, higher taxes and loss of privacy on our own properties. I do believe there is incorrect info on the permits and there was improper notification to landowners. I also demand environmental studies be done to predict the impact on traffic and roadways, waterways, fields, crops, livestock and wildlife. This is an all around bad deal for the citizens of Ellis county on behalf of an absentee developer. The above points have been fleshed out and sent to TCEQ from me with a registered letter for the request of a hearing.

## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 21, 2022 1:14 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044  
**Attachments:** Office Of The Chief Clerk TECQ Shankle Road MUD Petition D-08222022-044.docx

H

**From:** rray@indlube.com <rray@indlube.com>  
**Sent:** Wednesday, December 21, 2022 10:21 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** MR Randy Lynn Ray

**EMAIL:** [rray@indlube.com](mailto:rray@indlube.com)

**COMPANY:**

**ADDRESS:** 1271 SHANKLE RD  
ENNIS TX 75119-0119

**PHONE:** 9729217794

**FAX:**

**COMMENTS:** Office Of the Chief Clerk, MC 105 TECQ P. O. Box 13087 Austin., Tx. 78711-3087 Re: Petition D-08222022-044; petitioned by Steve Selinger Attn: Laurie Gharis, Chief Clerk We request denial or a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, (Petitioner) who filed a petition for creation of Shankle Road Municipal Utility (MUD). Our property and home are located at 1271 Shankle Road Ennis Tx. 75119. Our Home is located

on two acres and our farm property is located on 12.78 acres and is in awfully close proximity to the proposed Shankle Road Municipal Utility District. The creation of the Shankle Road Municipal Utility District (MUD) is genuinely concerning to us as a property owner. The creation of a commercial waste facility directly impacts the value of my property as a direct result of the proximity to my residence. Per the guidelines outlined in the Texas Water Code (Title 4, Chapter 54. Municipal Utility Districts) We also have concerns that the following provisions have been met: - Per Sec. 54.015 the estimated costs of the project are unrealistic given an insufficient water plan for the proposed community. - Per the guidelines of Sec. 54.021 (b) (2) the reasonableness of the projected construction costs cannot be evaluated as the access to water for Shankle Road (MUD) has not been determined. Providing water to a new development compromises the existing communities' access to water. - Per 54.021 (d) the current roadways of FM 879 and Shankle Road cannot support the additional traffic the Shankle Road (MUD), and the eight hundred new homes would create on the current infrastructure. The State and County have not sufficiently demonstrated the ability to maintain either roadway with the existing amount of traffic currently. - We are also genuinely concerned the negative effects that the Shankle Road Municipal Utility District (MUD) will have on our Home and Farm from the Water Runoff from the (MUD). We have not seen a drainage plan by the Petitioner and how it will impact our local creeks and drainage on our property. An Extensive Environmental Impact Study has not been submitted by the Petitioner regarding the negative impacts the excessive water generated by this MUD will affect crop contamination, grazing land for cattle and current surface pond water that cattle rely on for survival. - Finally, we are also very deeply concerned the proposed Shankle Road Municipal Utility District (MUD) will have a negative Impact on the Wildlife that currently lives on the property. The proposed development is and historically has been a nesting ground for a variety of wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. A detailed Wildlife Impact Study has not been provided by the Petitioner on how this (MUD) will negatively impact the wildlife living on our property. Sincerely Randy & Kathy Ray 1271 Shankle Road Ennis Texas. 75119 Phone Number 972/921-7794 Phone Number 972/935-8120



Office Of the Chief Clerk, MC 105

TECQ

P. O. Box 13087

Austin., Tx. 78711-3087

Re: Petition D-08222022-044; petitioned by Steve Selinger

Attn: Laurie Gharis, Chief Clerk

We request denial or a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, (Petitioner) who filed a petition for creation of Shankle Road Municipal Utility (MUD. Our property and home are located at 1271 Shankle Road Ennis Tx. 75119. Our Home is located on two acres and our farm property is located on 12.78 acres and is in awfully close proximity to the proposed Shankle Road Municipal Utility District.

The creation of the Shankle Road Municipal Utility District (MUD) is genuinely concerning to us as a property owner. The creation of a commercial waste facility directly impacts the value of my property as a direct result of the proximity to my residence. Per the guidelines outlined in the Texas Water Code (Title 4, Chapter 54. Municipal Utility Districts) We also have concerns that the following provisions have been met:

- Per Sec. 54.015 the estimated costs of the project are unrealistic given an insufficient water plan for the proposed community.
- Per the guidelines of Sec. 54.021 (b) (2) the reasonableness of the projected construction costs cannot be evaluated as the access to water for Shankle Road (MUD) has not been determined. Providing water to a new development compromises the existing communities' access to water.
- Per 54.021 (d) the current roadways of FM 879 and Shankle Road cannot support the additional traffic the Shankle Road (MUD), and the eight hundred new homes would create on the current infrastructure. The State and County have not sufficiently demonstrated the ability to maintain either roadway with the existing amount of traffic currently.
- We are also genuinely concerned the negative effects that the Shankle Road Municipal Utility District (MUD) will have on our Home and Farm from the Water Runoff from the (MUD). We have not seen a drainage plan by the Petitioner and how it will impact our local creeks and drainage on our property. An Extensive Environmental Impact Study has not been submitted by the Petitioner regarding the negative impacts the excessive water generated by this MUD will affect crop contamination, grazing land for cattle and current surface pond water that cattle rely on for survival.

- Finally, we are also very deeply concerned the proposed Shankle Road Municipal Utility District (MUD) will have a negative Impact on the Wildlife that currently lives on the property. The proposed development is and historically has been a nesting ground for a variety of wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. A detailed Wildlife Impact Study has not been provided by the Petitioner on how this (MUD) will negatively impact the wildlife living on our property.

Sincerely

Randy & Kathy Ray

1271 Shankle Road

Ennis Texas. 75119

Phone Number 972/921-7794

Phone Number 972/935-8120

Adell Rejcek  
7980 FM 660  
Ennis, TX 75119

December 19, 2022

REVIEWED  
DEC 28 2022  
By Gau H

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

TCEQ OCC  
27DEC '22 14:42

Attn: Chief Clerk or Whoever this concerns:

This letter is being sent to request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County, in Texas.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 7980 **FM 660, Ennis Texas 75119**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- **Odor concerns**
  - **The impact it will have on the wildlife**
    - **Contamination to ponds for drinking water for our cattle**
      - **Down stream flooding**
- **Volunteer Emergency Services are not equipped to handle the population**
  - **Drilling wells will deplete the natural spring to my property**
    - **Contamination to my land for growth of crops**
  - **Destruction to habitat for roosting for the Canadian geese**
    - **Very high traffic and safety issues**

Sincerely,

  
Adell Rejcek

972-351-2208

Repsick  
7480 FM 660  
Ennis, TX 75119

7022 1670 0001 5390 2165



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. SOLD AT DOTTED LINE.  
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Office of the Chief Clerk, MC 105  
TCEDQ  
P.O. Box 13087  
Austin, Texas

78711-3087  
**RECEIVED**

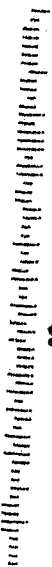
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DEC 27 2022

DEC 22 14:42

TCEDQ MAIL CENTER

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ENNIS, TX  
DEC 9, 2022  
AMOUNT  
**\$7.85**  
R2304M13118-12

## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, December 22, 2022 10:05 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044

H

**From:** Arejcek@yahoo.com <Arejcek@yahoo.com>  
**Sent:** Wednesday, December 21, 2022 9:39 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Adell Rejcek

**EMAIL:** [Arejcek@yahoo.com](mailto:Arejcek@yahoo.com)

**COMPANY:**

**ADDRESS:** 7980 FM 660  
ENNIS TX 75119-0159

**PHONE:** 9723512208

**FAX:**

**COMMENTS:** This letter is being sent to request a contested case hearing for this D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal District of Ellis County in Texas. . Odor concerns • The impact it will have on the wildlife • Contamination to ponds for drinking water for our cattle • Down stream flooding • Volunteer Emergency Services are not equipped to handle the population • Drilling wells will deplete the natural spring to my property • Contamination to my land for growth of crops • Destruction to habitat for roosting for the Canadian geese

Also the traffic will be hazardous to all animals as well as the increase in crime in the area. Another concern is future health problems for people in this area from contamination of water and land from waste.

## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 21, 2022 9:32 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044

**From:** Arejcek@yahoo.com <Arejcek@yahoo.com>  
**Sent:** Wednesday, December 21, 2022 8:59 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Adell Rejcek

**EMAIL:** [Arejcek@yahoo.com](mailto:Arejcek@yahoo.com)

**COMPANY:**

**ADDRESS:** 7980 FM 660  
ENNIS TX 75119-0159

**PHONE:** 9723512208

**FAX:**

**COMMENTS:** Odor concerns • The impact it will have on the wildlife • Contamination to ponds for drinking water for our cattle • Down stream flooding • Volunteer Emergency Services are not equipped to handle the population • Drilling wells will deplete the natural spring to my property • Contamination to my land for growth of crops • Destruction to habitat for roosting for the Canadian geese Also the traffic will be hazardous to all animals as well as the increase in crime in the area.

6171 FM 879  
Ennis, TX 75119

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

DEC 20 2022  
Gee H

TCEQ ODC

27DEC '22 15:19

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 6171 FM 879, Ennis, Texas.


The creation of this Utility District uniquely and adversely affects me in the following way(s):

- ***Smells/ Odors from sewer treatment plant*** – submitted plans by Petitioner are inadequate for the proposed development and additional developments the developer may add to the District. **An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of crop contamination downstream.**
- ***Inadequate Water Supply*** - The East Garrett Water Supply company does not have enough water to supply the additional proposed development. This negatively impacts all residents within the East Garrett CCN. Drilling water wells to supply the development is NOT AN OPTION. This would deplete the groundwater level within the region impacting natural springs throughout the area. **An Extensive Regional Impact Study and hydraulic analysis regarding adequate water volume and flow throughout the region should be demanded from the Petitioner.**
- ***Wildlife Impact-*** The proposed development is and historically has been a nesting ground for wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain. **An extensive wildlife impact study should be provided and demanded from the Petitioner.** This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock.
- ***Traffic*** - the development will create congestion on all surrounding roads. 800 homes equal approximately 1600 additional cars every day. Per 54.021 (d) the current roadways of FM 879 and Shankle road cannot support additional traffic. The State and County have not sufficiently demonstrated the ability to maintain either roadway with the existing amount of traffic.



- ***Emergency Services*** - The Garrett and Bristol fire departments will not be equipped to handle the additional services, manpower and equipment needed for adequate fire protection for the additional developments. Even if the Petitioner donates land for a new Fire Station (which he hasn't) additional equipment and manpower will be needed. This cost will be passed on to the current residents in the towns and Emergency Services Districts.
- ***Safety/Crime*** - The additional low-cost housing developments create additional threats of theft, vandalism, and additional crimes that will create additional burdens to the Ellis County sheriff's Dept. This is a major concern of protection for all residents of Ellis County.

Respectively submitted,

  
**Jerry & Denise Rejcek**

**469-658-6056**

OFFICE of the CHIEF CLERK, MC 105

TCEA

P.O. Box 13087

AUSTIN, TX 78711-3087

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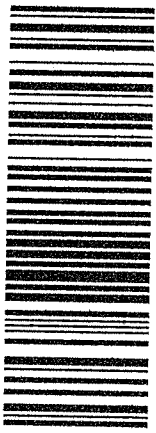
**\$7.85**

R2304M113118-12

TCEA 000

27DEC 22 15:13

PLACE STICKER ON TOP OF ENVELOPE TO REGISTER  
OR RETURN TO ADDRESS OF ENVELOPE MAIL  
**CERTIFIED MAIL**



78711-308787

7022 1670 0001 5390 5963

RECEIVED  
DEC 23 2022  
By SCW H

6145 FM 879  
Ennis, TX 75119

December 20, 2022

Office of the Chief Clerk,  
MC 105 TCEQ P.O. Box 13087  
Austin, TX 78711-3087

TCEQ OCC

Re: Petition D-08222022-044; petitioned by Steve Selinger

27DEC '22 15:21

Attn: Laurie Gharis, Chief Clerk

I request denial or a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, (Petitioner) who filed a petition for creation of Shankle Road Municipal Utility (MUD). My property is located at 6145 FM 879 Ennis, TX, 75119

The creation of the Shankle Road Municipal Utility District (MUD) is deeply concerning to me as property owner and with many in my community. The creation of a commercial waste facility directly impacts the value of my property as a direct result of the proximity to my residence. I also have concerns that the following provisions:

- The reasonableness of projected construction costs cannot be evaluated as access to water for Shankle Road (MUD) has not been determined. The rural water providers do not have sufficient water resources to provide to an 800 home MUD community. Providing water to a new development compromises the existing communities' access to water
- The current roadways of FM 879 and Shankle road cannot support additional traffic. The State and County have not sufficiently demonstrated the ability to maintain either roadway with the existing amount of traffic.
- Smells/ Odors from sewer treatment plant – submitted plans by Petitioner are inadequate for the proposed development and additional developments the developer may add to the District. An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of corps containment downstream,
- Wildlife Impact- The proposed development is and historically has been a nesting ground for wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain.
- Trash/Debris/clutter - Developing property with such a high density of housing creates excessive amounts of trash, debris and clutter throughout the surrounding properties. The petitioner has not addressed the negative impact of excessive waste to surrounding properties and debris to the landfill.

6145 FM 879  
Ennis, TX 75119

December 20, 2022

- Emergency Services - The Garrett and Bristol fire departments will not be equipped to handle the additional services, manpower and equipment needed for adequate fire protection for the additional developments. Even if the Petitioner donates land for a new Fire Station (which he hasn't) additional equipment and manpower will be needed. This cost will be passed on to the current residents in the towns and Emergency Services Districts.
- Safety/Crime - The additional low-cost housing developments create additional threats of theft, vandalism, and additional crimes that will create additional burdens to the Ellis County sheriff's Dept. This is a major concern of protection for all residents of Ellis County.

Respectively submitted,

James E. Rejcek

972-322-1863

A handwritten signature in black ink that reads "James Rejcek". The signature is written in a cursive style with a large initial "J" and "R".

J Rejcek  
6145 PM 879  
Ennis TX 75119

**CERTIFIED MAIL**



7021 2720 0000 1525 4941



R0000



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ENNIS, TX  
5119  
DEC 21, 22  
AMOUNT  
**\$7.85**  
R2304M113349-89

Office of the Chief Clerk,

MC 105 TCEQ

P.O. Box 13087

Austin, TX 78711-3087

TXEQ 000

**RECEIVED**

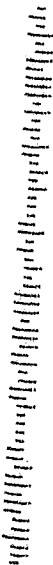
27 DEC 22 15:21

DEC 27 2022

TOEQ MAIL CENTER

CJ

78711-3087



## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, December 22, 2022 10:04 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044  
**Attachments:** 2022 Shankle Rd Mudd Petition.docx

H

**From:** james72561@gmail.com <james72561@gmail.com>  
**Sent:** Wednesday, December 21, 2022 6:19 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM:**

**NAME:** MR James E Rejcek

**EMAIL:** [james72561@gmail.com](mailto:james72561@gmail.com)

**COMPANY:**

**ADDRESS:** 6145 FM 879  
ENNIS TX 75119-1672

**PHONE:** 9723221863

**FAX:**

**COMMENTS:** See Attachment

6145 FM 879  
Ennis, TX 75119

December 20, 2022

Office of the Chief Clerk,  
MC 105 TCEQ P.O. Box 13087  
Austin, TX 78711-3087

Re: Petition D-08222022-044; petitioned by Steve Selinger

Attn: Laurie Gharis, Chief Clerk

I request denial or a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, (Petitioner) who filed a petition for creation of Shankle Road Municipal Utility (MUD). My property is located at 6145 FM 879 Ennis, TX, 75119

The creation of the Shankle Road Municipal Utility District (MUD) is deeply concerning to me as property owner and with many in my community. The creation of a commercial waste facility directly impacts the value of my property as a direct result of the proximity to my residence. I also have concerns that the following provisions:

- The reasonableness of projected construction costs cannot be evaluated as access to water for Shankle Road (MUD) has not been determined. The rural water providers do not have sufficient water resources to provide to an 800 home MUD community. Providing water to a new development compromises the existing communities' access to water
- The current roadways of FM 879 and Shankle road cannot support additional traffic. The State and County have not sufficiently demonstrated the ability to maintain either roadway with the existing amount of traffic.
- Smells/ Odors from sewer treatment plant – submitted plans by Petitioner are inadequate for the proposed development and additional developments the developer may add to the District. An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of corps containment downstream,
- Wildlife Impact- The proposed development is and historically has been a nesting ground for wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain.
- Trash/Debris/clutter - Developing property with such a high density of housing creates excessive amounts of trash, debris and clutter throughout the surrounding properties. The petitioner has not addressed the negative impact of excessive waste to surrounding properties and debris to the landfill.

6145 FM 879  
Ennis, TX 75119

December 20, 2022

- Emergency Services - The Garrett and Bristol fire departments will not be equipped to handle the additional services, manpower and equipment needed for adequate fire protection for the additional developments. Even if the Petitioner donates land for a new Fire Station (which he hasn't) additional equipment and manpower will be needed. This cost will be passed on to the current residents in the towns and Emergency Services Districts.
- Safety/Crime - The additional low-cost housing developments create additional threats of theft, vandalism, and additional crimes that will create additional burdens to the Ellis County sheriff's Dept. This is a major concern of protection for all residents of Ellis County.

Respectively submitted,

James E. Rejcek

972-322-1863



415 Novy Road

Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

**REVIEWED**

**DEC 28 2022**

By Gaw #

TCEQ OCC

In Re: Petition D-08222022-044, petitioned by Steve Selinger

27DEC '22 15:01

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 415 Novy Road, Ennis, TX 75119.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

1. The water treatment facility from the proposed MUD will drain into a creek near my house. During periods of heavy rain, this creek floods my driveway, preventing access to and from my property. Should there be more water flowing in the creek on a regular basis, my driveway will be more likely to flood more often. This would cause not only an inconvenience but a potentially hazardous situation for my family in the case of an emergency. I have included a map to show the current flood plain.
2. Some of the roadways leading to the site of the proposed MUD do not have lane markers or shoulders. They also have bridges that can carry only one vehicle at a time. With increased traffic, this can lead to higher risk of accidents for my family, especially during high traffic times. These roadways will also require more frequent maintenance than they currently receive due to higher traffic volume.

Respectfully submitted,

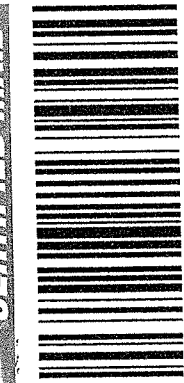
  
Bennett M. H. Robie

(972)875-4683



Robie  
415 Navy Rd  
Ennis, TX 75119

PLACE STICKER ON ENVELOPE FLAP  
OR RETURN ADDRESS TO MAIL  
**CERTIFIED MAIL**



RDC 99



78711

U.S. POSTAGE PAID  
FCM LETTER  
RICE, TX  
75155  
DEC 21, 22  
AMOUNT  
**\$4.00**  
R2304M11280-22



FOREVER / USA

7020 3160 0001 6895 4226

Office of the Chief Clerk, MC105  
TCER  
P.O. Box 13087  
Austin, TX 78711-3087

27DEC 22 15:01

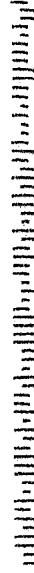
000 0301



RECEIVED

DEC 27 2022

TCER MAIL CENTER  
CJ



78711 3087

415 Novy Rd  
Ennis, TX 75119

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 23 2022  
By Gen H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

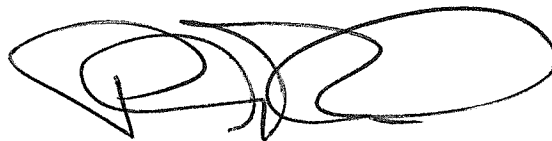
I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 415 Novy Rd., Ennis, TX 75119.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

The proposed water treatment facility will release into the creek that runs by my house. This creek has a tendency to flood, covering my driveway making my property inaccessible. Any additional water down this creek will only accentuate the problem with flooding causing hardship for me and my family. I have attached a document showing the location of my driveway that floods.

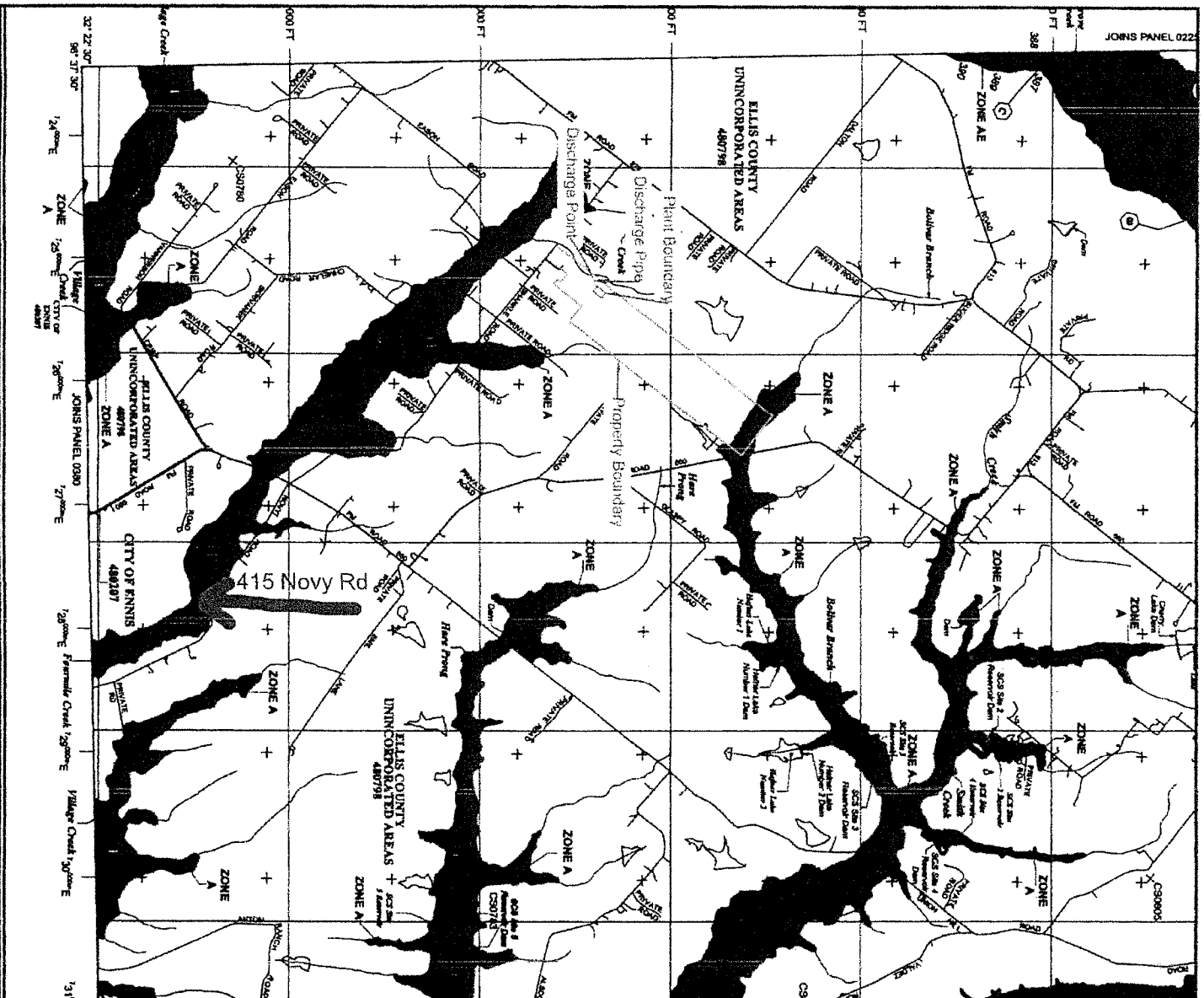
Respectfully submitted,



Paul Robie

469-658-9120

TCEQ OCC  
27DEC 22 10:24



JOHNS PANEL 022

1" = 100 FT  
 1" = 200 FT  
 1" = 300 FT  
 1" = 400 FT  
 1" = 500 FT  
 1" = 600 FT  
 1" = 700 FT  
 1" = 800 FT  
 1" = 900 FT  
 1" = 1000 FT

**NOTE:** Flood elevations shown on this map are based on the National Flood Insurance Program (NFIP) Flood Insurance Study (FIS) for the City of Ennis, Texas, dated 1985. The FIS was prepared by the Federal Emergency Management Agency (FEMA) in cooperation with the City of Ennis. The FIS is based on a 100-year return period flood. The FIS is not intended to be used for any other purpose. The FIS is not a guarantee of accuracy. The FIS is not a warranty of performance. The FIS is not a contract. The FIS is not a representation of any kind. The FIS is not a statement of fact. The FIS is not a statement of opinion. The FIS is not a statement of intent. The FIS is not a statement of belief. The FIS is not a statement of knowledge. The FIS is not a statement of information. The FIS is not a statement of expertise. The FIS is not a statement of skill. The FIS is not a statement of judgment. The FIS is not a statement of conclusion. The FIS is not a statement of recommendation. The FIS is not a statement of advice. The FIS is not a statement of approval. The FIS is not a statement of disapproval. The FIS is not a statement of endorsement. The FIS is not a statement of non-endorsement. The FIS is not a statement of sponsorship. The FIS is not a statement of non-sponsorship. The FIS is not a statement of support. The FIS is not a statement of non-support. The FIS is not a statement of agreement. The FIS is not a statement of non-agreement. The FIS is not a statement of consent. The FIS is not a statement of non-consent. The FIS is not a statement of assent. The FIS is not a statement of non-assent. The FIS is not a statement of acquiescence. The FIS is not a statement of non-acquiescence. The FIS is not a statement of approval. The FIS is not a statement of disapproval. The FIS is not a statement of endorsement. The FIS is not a statement of non-endorsement. The FIS is not a statement of sponsorship. The FIS is not a statement of non-sponsorship. The FIS is not a statement of support. The FIS is not a statement of non-support. The FIS is not a statement of agreement. The FIS is not a statement of non-agreement. The FIS is not a statement of consent. The FIS is not a statement of non-consent. The FIS is not a statement of assent. The FIS is not a statement of non-assent. The FIS is not a statement of acquiescence. The FIS is not a statement of non-acquiescence.

**NOTE:** Flood elevations shown on this map are based on the National Flood Insurance Program (NFIP) Flood Insurance Study (FIS) for the City of Ennis, Texas, dated 1985. The FIS was prepared by the Federal Emergency Management Agency (FEMA) in cooperation with the City of Ennis. The FIS is based on a 100-year return period flood. The FIS is not intended to be used for any other purpose. The FIS is not a guarantee of accuracy. The FIS is not a warranty of performance. The FIS is not a contract. The FIS is not a representation of any kind. The FIS is not a statement of fact. The FIS is not a statement of opinion. The FIS is not a statement of intent. The FIS is not a statement of belief. The FIS is not a statement of knowledge. The FIS is not a statement of information. The FIS is not a statement of expertise. The FIS is not a statement of skill. The FIS is not a statement of judgment. The FIS is not a statement of conclusion. The FIS is not a statement of recommendation. The FIS is not a statement of advice. The FIS is not a statement of approval. The FIS is not a statement of disapproval. The FIS is not a statement of endorsement. The FIS is not a statement of non-endorsement. The FIS is not a statement of sponsorship. The FIS is not a statement of non-sponsorship. The FIS is not a statement of support. The FIS is not a statement of non-support. The FIS is not a statement of agreement. The FIS is not a statement of non-agreement. The FIS is not a statement of consent. The FIS is not a statement of non-consent. The FIS is not a statement of assent. The FIS is not a statement of non-assent. The FIS is not a statement of acquiescence. The FIS is not a statement of non-acquiescence.

**NATIONAL FLOOD INSURANCE PROGRAM**

**FIRM**

**FLOOD INSURANCE RATE MAP**

**ELLIS COUNTY, TEXAS**

**AND INCORPORATED AREAS**

PANEL 250 OF 600  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

COMMUNITY	DATE	STATUS	REVISION
ELLIS COUNTY	10/18/85	AD	1
UNINCORPORATED AREAS	10/18/85	AD	1
CITY OF ENNIS	10/18/85	AD	1

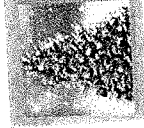
MAP NUMBER  
**48139C0250F**

EFFECTIVE DATE  
**JUNE 3, 2013**

Federal Emergency Management Agency

Date January 25, 2022	Shankle Road WWTP Stephen Selinger Palmer, Texas Flood Plain Map	Sheet 010
Drawn By CE	consulting environmental engineers, inc. 12410 North Loop West, Suite 1000, Houston, TX 77067 Tel: 281-410-0000 Fax: 281-410-0001 www.ce-engineers.com	
Scale 1" = 400'		

Paul M. Robie  
415 Novy Rd.  
Ennis, TX 75119-1475



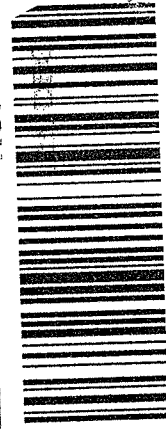
RECEIVED

DEC 27 2022

TCEQ MAIL CENTER  
AJ

42:01 Z 0302Z  
TCEQ OCC  
27DEC 22 10:24

PLACE STICKER AT TOP OR BOTTOM OF THE RIGHT  
CERTIFIED MAIL  
78711

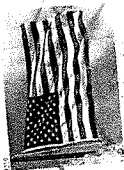


78711

U.S. POSTAGE PAID  
FCM LETTER  
RICE, TX  
75155  
DEC 21, 22  
AMOUNT  
**\$4.00**  
R2304M11280-22

7020 3160 0001 6895 4233

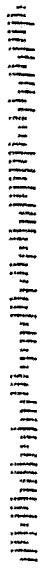
Office of the Chief Clerk, MC105  
TCEQ  
P.O. Box 13087  
Austin, Tx 78711-3087



FOREVER USA

DEC 21 2022

USPS - 75155



78711-308757

## Vander Gold

---

**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, December 22, 2022 4:25 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

**From:** Paul@ennisglobal.com <Paul@ennisglobal.com>  
**Sent:** Thursday, December 22, 2022 3:06 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Paul Robie

**EMAIL:** [Paul@ennisglobal.com](mailto:Paul@ennisglobal.com)

**COMPANY:**

**ADDRESS:** 415 NOVY RD  
ENNIS TX 75119-1475

**PHONE:** 4696589120

**FAX:**

**COMMENTS:** The proposed waste water facility is positioned to dump water in the creek running next to my house. This creek has a tendency to flood covering my driveway making it unacceptable. Any additional pressure on this creek will only exasperate the problem. Also, the roads in this area are not designed for this level of traffic. The proposed development will cause additional tax burden on the County. The school district affected by this proposed development is very small and not capable of absorbing this many kids at one time.

**Ellie Guerra**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Friday, December 23, 2022 7:59 AM  
**To:** Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number D08222022044

**From:** Paul@ennisglobal.com <Paul@ennisglobal.com>  
**Sent:** Thursday, December 22, 2022 3:06 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Paul Robie

**EMAIL:** [Paul@ennisglobal.com](mailto:Paul@ennisglobal.com)

**COMPANY:**

**ADDRESS:** 415 NOVY RD  
ENNIS TX 75119-1475

**PHONE:** 4696589120

**FAX:**

**COMMENTS:** The proposed waste water facility is positioned to dump water in the creek running next to my house. This creek has a tendency to flood covering my driveway making it unacceptable. Any additional pressure on this creek will only exasperate the problem. Also, the roads in this area are not designed for this level of traffic. The proposed development will cause additional tax burden on the County. The school district affected by this proposed development is very small and not capable of absorbing this many kids at one time.



## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, December 22, 2022 10:09 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

**From:** Paul@ennisglobal.com <Paul@ennisglobal.com>  
**Sent:** Thursday, December 22, 2022 10:02 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Paul Robie

**EMAIL:** [Paul@ennisglobal.com](mailto:Paul@ennisglobal.com)

**COMPANY:**

**ADDRESS:** 415 NOVY RD  
ENNIS TX 75119-1475

**PHONE:** 4696589120

**FAX:**

**COMMENTS:** The proposed waste water facility is positioned to dump water in the creek running next to my house. This creek has a tendency to flood covering my driveway making it unacceptable. Any additional pressure on this creek will only exasperate the problem. Also, the roads in this area are not designed for this level of traffic. The proposed development will cause additional tax burden on the County. The school district affected by this proposed development is very small and not capable of absorbing this many kids at one time.

415 Novy Road

Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 23 2022  
By BCW H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

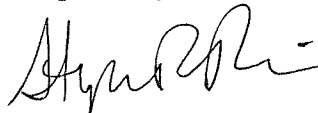
I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 415 Novy Road, Ennis, TX 75119.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

1. The suggested drainage path for the water treatment from this proposed MUD will hinder the driveway entrance to my home. We currently experience flooding during heavy rain. When the creek is used for additional drainage, the flooding will become more frequent and possibly completely eliminate the only way to access our property. *(See enclosed map)*
2. The increased traffic on the roads leading to the proposed district will further damage the small roads we currently have. Bridges on these roads will also need updating to remain safe to use with more vehicle traffic.

Respectfully submitted,



Stephanie Robie

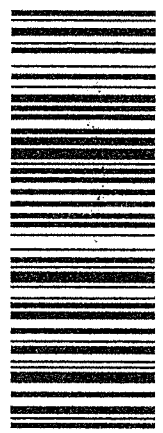
469-337-1638

27DEC 22 10:29

TCEQ OCC



Robbie  
415 Navy Rd.  
Emuis TX  
75119



7020 3160 0001 6895 4219



RDC 99



78711

FORM TX  
PRICE  
75755  
DEC 21 22  
AMOUNT  
**\$4.60**  
R2304M111280-22

RECEIVED

DEC 27 2022

TCOEQ MAIL CENTER  
AJ

Office of the Chief Clerk, Me105

TCOEQ

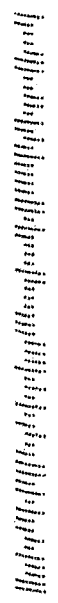
P.O. Box 13087

Austin TX 78711-3087

TCOEQ 000

27DEC 22 16:29

7871133087



## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 21, 2022 9:31 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

**From:** scgrobie@yahoo.com <scgrobie@yahoo.com>  
**Sent:** Wednesday, December 21, 2022 6:36 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTITY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Stephanie Robie

**EMAIL:** [scgrobie@yahoo.com](mailto:scgrobie@yahoo.com)

**COMPANY:**

**ADDRESS:** 415 NOVY RD  
ENNIS TX 75119-1475

**PHONE:** 4693371638

**FAX:**

**COMMENTS:** I request denial of the creation of Shankle Road MUD. Residents were not properly notified of this proposed MUD. The water run off from the treatment will cause additional flooding for my property, blocking our only entrance. The smell from sewage water treatment will be detrimental to living conditions. Current roads and bridges can not support increased traffic. Wildlife will be displaced creating a danger for our farm animals. The local schools will be overcrowded. There is not a population increase that indicates a need for this enormous amount of residences to be

built. Crime will increase, creating a strain on our county law enforcement and lowering property value. Emergency responders, such as our fire department, are currently volunteers. There would not be adequate help in a fire situation for such a large development.

Dec. 30, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, Texas 78711-3087

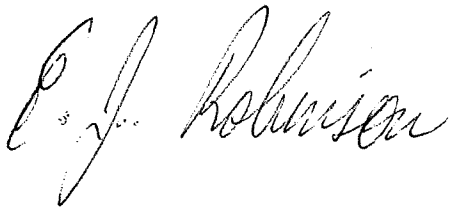
REVIEWED  
JAN 03 2023  
By GCW 14

Re: Petition D-08222022-044, petitioned by Steve Selinger

I would like to request a special hearing for the above petition for the creation of Shankle Road Municipal Utility District in Ellis County. I am a nearby land owner who could be affected by the waste water discharge or water delivery or tapping of an aquifer for wells in this area for this development.

Please provide me in advance copies of any preliminary petition, preliminary plans, well applications, or any water delivery plans or agreements with any local water authority ahead of the hearing. Please notify me in advance of the date, time, and location of the hearing.

Thank you,



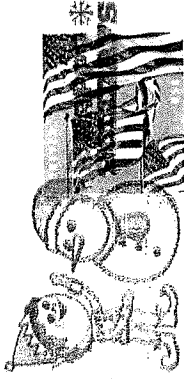
TCEQ OCC

5 JAN '23 10:37

EUGENE J. ROBINSON  
3940 NORTHAVEN RD  
DALLAS, TEXAS 75229  
e-mail: keissen\_sie@yahoo.com

ROBINSON  
3940 Northaven Rd.  
DALLAS, TEXAS 75229

NORTH TEXAS TX PSIDC  
DALLAS TX 75201  
3 JAN 2023 PM 1 L



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2023 JAN -5 AM 9:55

CHIEF CLERKS OFFICE

TCEQ  
OFFICE of the Chief Clerk, MC 105  
P.O. Box 13087  
AUSTIN, TEXAS 78711-3087

RECEIVED  
JAN 05 2023  
TCEQ MAIL CENTER  
AJ

78711-3087

78711-3087



## Christina Bourque

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, January 9, 2023 2:33 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044

**From:** juannn1995@gmail.com <juannn1995@gmail.com>  
**Sent:** Monday, January 9, 2023 10:19 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** MR Juan Rodriguez

**EMAIL:** [juannn1995@gmail.com](mailto:juannn1995@gmail.com)

**COMPANY:**

**ADDRESS:** 241 CHERRY POINT DR  
PALMER TX 75152-8221

**PHONE:** 4698881969

**FAX:**

**COMMENTS:** Palmer should NOT have all these burdens and such added onto us, have our taxes go up because of this, I completely disagree with what's going on! - Waste water treatment plant / Flooding / Odor / Trash / School - burden on Palmer ISD / Traffic / Road conditions - burden on Ellis Co tax payers / Infrastructure / Wildlife / Agriculture/livestock / Water / Fire protection - burden on ESDs and FDs / Emergency Services - burden in Sheriffs Dept / Police Dept / Crime / Financial burden on homeowners / Small lot sizes / High density housing / Incorrect information on permits / Improper

notification of landowners This is BS! Fix and better the community first before adding crap burdens like this! I request regional drainage plan for all downstream creeks/ivers I request denial of the creation of Shankle Road MUD

Office of the Chief Clerk, MC 105

TCEQ

P.O. Box 13087

Austin, TX 78711-3087

Re: Petition D-08222022-044; petitioned by Steve Selinger

Attn: Laurie Gharis, Chief Clerk

I request denial or a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, (Petitioner) whom filed a petition for creation of Shankle Road Municipal Utility (MUD). My property is located at 7268 FM 879 Palmer TX, 75152.

The creation of the Shankle Road Municipal Utility District (MUD) is deeply concerning to me as property owner and with many in my community. The creation of a commercial waste facility directly impacts the value of my property as a direct result of the proximity to my residence. Per the guidelines outlined in The Texas Water Code (Title 4, Chapter 54. Municipal Utility Districts) I also have concerns that the following provisions have been met:

- Per Sec. 54.015 the estimated costs of the project are unrealistic given an insufficient water plan for the proposed community
- Per the guidelines of Sec. 54.021 (b) (2) the reasonableness of projected construction costs cannot be evaluated as access to water for Shankle Road (MUD) has not been determined. The rural water providers do not have sufficient water resources to provide to an 800 home MUD community. Providing water to a new development compromises the existing communities' access to water
- Per 54.021 (d) the current roadways of FM 660, FM 879 and Shankle road cannot support additional traffic.

The State and County have not sufficiently demonstrated the ability to maintain either roadway with the existing amount of traffic.

*Jamie Rosson*

Jamie Rosson  
3063 Union Hill Rd.  
Ennis Texas 75119

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

CHIEF CLERKS OFFICE

2022 DEC 22 PM 2:22

REVIEWED

DEC 23 2022

*[Signature]*

H

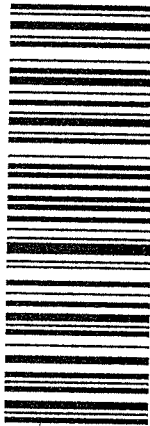
TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 22 PM 2:26

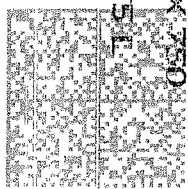
CHIEF CLERKS OFFICE

JIMMIE ROSSON  
2301, SHELWOOD DR  
EVANS TX 75119

7021 1970 0000 8164 1436



NORTH TEXAS TX 750  
20 DEC 2022 PM 5:11



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043M51220476

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TCED  
PO BOX 13087  
AUSTIN TX  
78711-3087

78711-308787

78711-308787

RDC 99



78711

U.S. POSTAGE PAID  
FORM LETTER  
DALLAS, TX  
75229  
DEC 20, 22  
AMOUNT  
**\$7.25**  
R2305M14484-21

Office of the Chief Clerk, MC 105

TCEQ

P.O. Box 13087

Austin, TX 78711-3087

Re: Petition D-08222022-044; petitioned by Steve Selinger

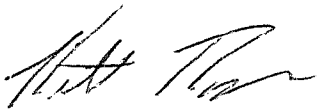
Attn: Laurie Gharis, Chief Clerk

I request denial or a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger (Petitioner) whom filed a petition for creation of Shankle Road Municipal Utility (MUD). My property is located at 7268 FM 879 Palmer TX, 75152.

The creation of the Shankle Road Municipal Utility District (MUD) is deeply concerning to me as property owner and with many in my community. The creation of a commercial waste facility directly impacts the value of my property as a direct result of the proximity to my residence. Per the guidelines outlined in The Texas Water Code (Title 4, Chapter 54. Municipal Utility Districts) I also have concerns that the following provisions have been met:

- Per Sec. 54.015 the estimated costs of the project are unrealistic given an insufficient water plan for the proposed community
- Per the guidelines of Sec. 54.021 (b) (2) the reasonableness of projected construction costs cannot be evaluated as access to water for Shankle Road (MUD) has not been determined. The rural water providers do not have sufficient water resources to provide to an 800 home MUD community. Providing water to a new development compromises the existing communities' access to water
- Per 54.021 (d) the current roadways of FM 660, FM 879 and Shankle road cannot support additional traffic.

The State and County have not sufficiently demonstrated the ability to maintain either roadway with the existing amount of traffic.



Keith Rosson  
3063 Union Hill Rd.  
Ennis Texas 75119

REVIEWED

DEC 23 2022



H

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 23 PM 2:09  
CHIEF CLERK'S OFFICE

KEITH ROSSON  
2301 SUGARWOOD DR  
ENNIS TX 75119

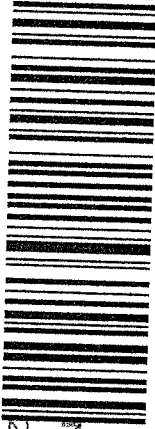
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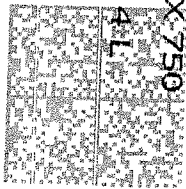
CHIEF CLERKS OFFICE

OFFICE CHIEF TIME CLERK, MC 105  
TCEQ  
PO Box 13087  
Austin TX  
78711-3087

7021 1970 0000 8164 1443



NORTH TEXAS TX 750  
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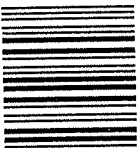


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US POSTAGE



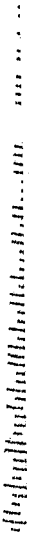
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DALLAS, TX  
75229  
DEC 20, 22  
AMOUNT  
**\$7.25**  
R2305M144884-21

78711-3087



## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 21, 2022 1:18 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

H

**From:** keith.rosson@brandt.us <keith.rosson@brandt.us>  
**Sent:** Wednesday, December 21, 2022 10:31 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** MR Robert Keith Rosson

**EMAIL:** [keith.rosson@brandt.us](mailto:keith.rosson@brandt.us)

**COMPANY:**

**ADDRESS:** 3063 UNION HILL RD  
ENNIS TX 75119-0155

**PHONE:** 2145871699

**FAX:**

**COMMENTS:** I am a home and property owner in the area of the proposed Shankle Road MUD. I have several concerns of the proposed MUD being developed in this area of Ellis county. My concerns include the burden to Palmer ISD, Infrastructure (water, electrical, roads), Ellis county Sheriffs Dept., and Fire protection (the burden on ESD's and the volunteer fire departments in the surrounding area). Other concerns are the improper notification given to area landowners of this development filing, improper information give on the filed permits, and the financial burden of

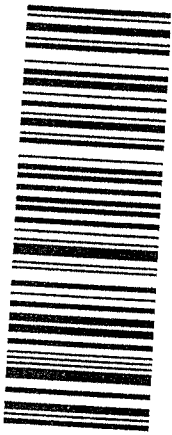
property owners in the area. Not to mention the lot size and high density housing plan submitted does not meet Ellis County lot size requirements. I'm requesting a formal hearing to allow the area property owners and Ellis County officials a time and place to discuss this plan before it can be approved. Keith Rosson





SUSIE ROSSON  
830 OLD GUN RD  
ENNIS TX 75119

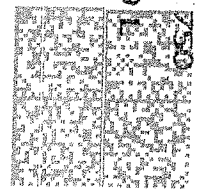
TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
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CHIEF CLERKS OFFICE



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OFFICE OF THE CLERK  
TCEQ  
PO Box 13037  
AUSTIN TX 78711-3037

NORTH TEXAS TX  
20 DEC 2022 PM 9



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78711-3037



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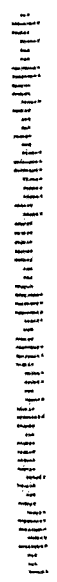


TUCKER ROSSON  
2301 SILVERWOOD DR  
ENNIS TX 75119

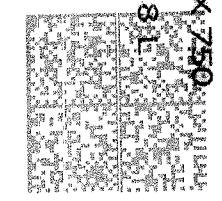
OFFICE OF THE CHIEF CLERK, MC105  
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2022 DEC 22 AM 9:59

Office of the Chief Clerk, MC 105

TCEQ

P.O. Box 13087

Austin, TX 78711-3087

Re: Petition D-08222022-044; petitioned by Steve Selinger

Attn: Laurie Gharis, Chief Clerk

I request denial or a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, (Petitioner) whom filed a petition for creation of Shankle Road Municipal Utility (MUD). My property is located at 7268 FM 879 Palmer TX, 75152.

The creation of the Shankle Road Municipal Utility District (MUD) is deeply concerning to me as property owner and with many in my community. The creation of a commercial waste facility directly impacts the value of my property as a direct result of the proximity to my residence. Per the guidelines outlined in The Texas Water Code (Title 4, Chapter 54. Municipal Utility Districts) I also have concerns that the following provisions have been met:

- Per Sec. 54.015 the estimated costs of the project are unrealistic given an insufficient water plan for the proposed community
- Per the guidelines of Sec. 54.021 (b) (2) the reasonableness of projected construction costs cannot be evaluated as access to water for Shankle Road (MUD) has not been determined. The rural water providers do not have sufficient water resources to provide to an 800 home MUD community. Providing water to a new development compromises the existing communities' access to water
- Per 54.021 (d) the current roadways of FM 660, FM 879 and Shankle road cannot support additional traffic.

The State and County have not sufficiently demonstrated the ability to maintain either roadway with the existing amount of traffic.

Walker Rosson  
3063 Union Hill Rd.  
Ennis Texas 75119

REVIEWED

DEC 22 2022

By \_\_\_\_\_

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2022 DEC 22 AM 9:58  
CHIEF CLERKS OFFICE

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MINUEN ROSSON  
2301 SHERWOOD DR  
EUBIS TX  
75119

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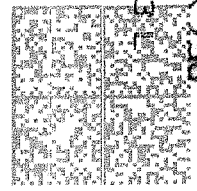
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OFFICE OF THE CHIEF CLERK, MC 105  
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AUSTIN TX

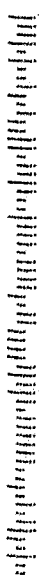
78711-3097

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20 DEC 2022 PM 3



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01202203 ZIP 75076  
CHIEF CLERKS OFFICE

78711-3097



Keith Ruether  
315 Chmelar Rd.  
Ennis, TX 75119

December 16, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

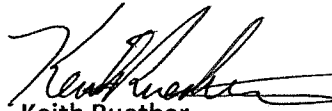
Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 315 Chmelar Rd, Ennis, TX 75119.

The creation of this Utility District uniquely and adversely affects me by the water runoff from the waste management facility that will be constructed in this development. Please understand that this waste management facility may very well pollute the environment affecting not only the residents in the area but also wildlife and agriculture along the runoff path.

Respectively submitted,



Keith Ruether  
469-644-1569

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COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:39  
CHIEF CLERKS OFFICE

REVIEWED

DEC 23 2022

BY



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Mr. Keith D. Ruether  
315 Chmelar Rd  
Ennis, TX 75119-0040



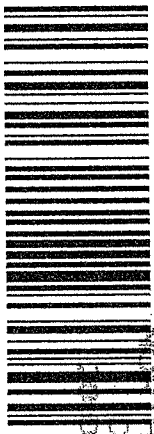
RDC 99



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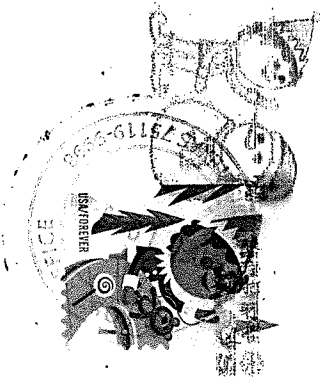
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DEC 20, 22  
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CERTIFIED MAIL



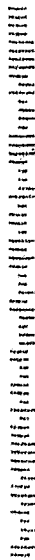
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Office of the Chief Clerk, MC 105  
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P.O. Box 13087  
Austin, TX 78711-3087

78711-3087



COMMISSION ON ENVIRONMENTAL QUALITY

DEC 22 PM 2:25

POST OFFICE



## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, December 19, 2022 9:55 AM  
**To:** Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number D-08222022-044

H

**From:** justin.schiffner@gmail.com <justin.schiffner@gmail.com>  
**Sent:** Saturday, December 17, 2022 1:32 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** MR Justin Schiffner

**EMAIL:** [justin.schiffner@gmail.com](mailto:justin.schiffner@gmail.com)

**COMPANY:**

**ADDRESS:** 7268 FM 879  
PALMER TX 75152-9110

**PHONE:** 2143858284

**FAX:**

**COMMENTS:** Re: Petition D-08222022-044; petitioned by Steve Selinger Attn: Laurie Gharis, Chief Clerk I request denial or a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, (Petitioner) filed a petition for creation of Shankle Road Municipal Utility (MUD). My property is located at 7268 FM 879 Palmer TX, 75152. The creation of the Shankle Road Municipal Utility District (MUD) is deeply concerning to me as property owner and with many in my community. The creation of a commercial waste facility directly impacts the value of my property as a direct

result of the proximity to my residence. Per the guidelines outlined in The Texas Water Code (Title 4, Chapter 54. Municipal Utility Districts) I also have concerns that the following provisions have been met: • Per Sec. 54.015 the estimated costs of the project are unrealistic given an insufficient water plan for the proposed community • Per the guidelines of Sec. 54.021 (b) (2) the reasonableness of projected construction costs cannot be evaluated as access to water for Shankle Road (MUD) has not been determined. The rural water providers do not have sufficient water resources to provide to an 800 home MUD community. Providing water to a new development compromises the existing communities' access to water • Per 54.021 (d) the current roadways of FM 879 and Shankle road cannot support additional traffic. The State and County have not sufficiently demonstrated the ability to maintain either roadway with the existing amount of traffic.

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

David Shackelford  
3259 Crisp Road  
Ennis, TX 75119

2022 DEC 21 AM 11:10

December 16, 2022

Office of the Chief Clerk, MC 105 CHIEF CLERKS OFFICE  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED

DEC 21 2022

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In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

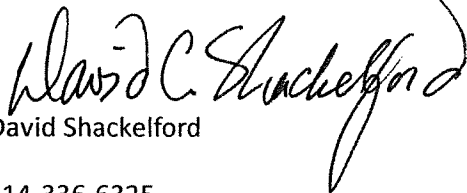
I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. I reside on a two-acre plot of land located about 100 yards from the intersection of Crisp Road and FM660, which is about 2 miles south of the proposed Shankle Road MUD.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- Odor and ground water contamination due to potential sewer overflow, or authorized or unauthorized discharge of untreated or partially treated wastewater into a or adjacent to unpermitted land or water sources like, creeks, tributaries, etc. Weather extremes in my area contribute to frequent power outages, which most likely impact the proper mechanical functioning of any water and/or sewer treatment system of the MUD.
- The weather in our area is hot and dry, and there are no large lakes or bodies of water close by that could help dilute potential heavy concentrations of sanitary sewer overflow which increases the risk of disease proliferation and/or other environmental impacts.
- I travel on FM660 daily to/from my residence, and there are low areas that are susceptible to flooding, which can be caused by inflow - surface water runoff, especially due to complications associated with a MUD trying to manage utilities for 800 homes on only 180 acres of land.
- I have allergies which are triggered by air quality, which will decrease if an estimated 1,600 cars are making on average 5-10 trips to/from their homes if this development goes through.
- My wife has an auto-immune disease and is highly susceptible to poor air quality that could result from the increase in cars and/or improperly functioning wastewater system.
- I also have concerns relating to the impact on deer and other wildlife in this area if the MUD is developed.

Respectively submitted,

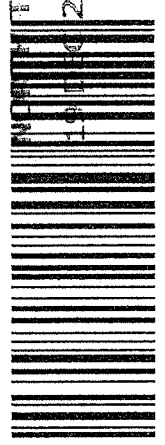


David Shackelford

214-336-6325

**CERTIFIED MAIL**

David Shockeyford  
3259 Crisp Rd.  
Emm's, TX 75119



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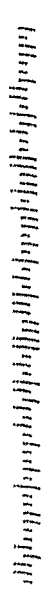
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Office of the Chief Clerk, MC105  
TCEQ  
P.O. Box 13087  
Austin, TX. 78711-3087

ENVIRONMENTAL  
QUALITY



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TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 21 PM 1:17

Tina Shackelford  
3259 Crisp Road  
Ennis, TX 75119

December 16, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

CHIEF CLERKS OFFICE

REVIEWED

DEC 21 2022

Gen H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. I reside on a two-acre plot of land located about 100 yards from the intersection of Crisp Road and FM660, which is about 2 miles south of the proposed Shankle Road MUD.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

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- The weather in our area is hot and dry, and there are no large lakes or bodies of water close by that could help dilute potential heavy concentrations of sanitary sewer overflow which increases the risk of disease proliferation and/or other environmental impacts.
- I travel on FM660 daily to/from my residence, and there are low areas that are susceptible to flooding, which can be caused by inflow - surface water runoff, especially due to complications associated with a MUD trying to manage utilities for 800 homes on only 180 acres of land.
- My husband has bad allergies which are triggered by air quality, which will decrease if an estimated 1,600 cars are making on average 5-10 trips to/from their homes if this development goes through.
- I have an auto-immune disease and am highly susceptible to poor air quality that could result from the increase in cars and/or an improperly functioning wastewater system.
- I also have concerns relating to the impact on deer and other wildlife in this area if the MUD is developed.

Respectively submitted,



Tina Shackelford  
214-334-6325



RDC 99



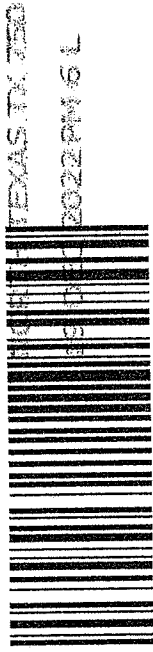
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**CERTIFIED MAIL**



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Office of the Chief Clerk, MC105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

Tina Shackelford  
3259 Crisp Rd.  
Ennis, TX 75119

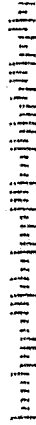
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ON ENVIRONMENTAL  
QUALITY

2022 DEC 21 PM 1:17

RECEIVED

DEC 21 2022

CHIEF CLERK OFFICE



78711-308787

Bill Sims  
7191 FM 660  
Ennis, TX 75119

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I am sending this to request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 7191 FM 660 1/4 mile NE from petitioned property

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- **Impact on my farming and livestock**
- **Inadequate drainage causing flooding downstream**
- **Natural Spring drilling will disrupt my supply**
- **Disruption of natural and planted crop growth**
- **Environmental impact on wild life and livestock**

Respectively submitted,

*William D Sims*

William D Sims

972-666-3022

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 10:42  
CHIEF CLERKS OFFICE

REVIEWED

DEC 23 2022

*[Signature]*

H

William Sims  
7191 Fm 610  
Ennis, TX 75119

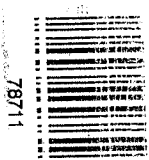
COMMISSION  
ON ENVIRONMENTAL  
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OFFICE

Office of the Chief Clerk, MC 105  
P.O. Box 13087  
Austin, Texas 78711-3087

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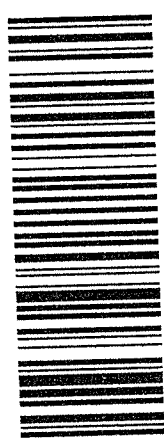
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3354 Crisp Rd  
Ennis, Texas 75119

REVIEWED

DEC 28 2022

By GCW H

TCEQ OCC

27DEC '22 14:51

December 19, 2022

Office of the Chief Clerk, MC 105, TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My name is George Skrivanek and my property is located at 3354 Crisp Rd Ennis, Texas 75119 I live in a small rural farming area. As a rancher myself, the below points greatly affect my family, my neighbors, and our rural community, and my livestock. Please note that my family has lived on this property for several generations.

This MUD will affect the environment that my family, friends and rural community live. The creation of this Utility District uniquely and adversely affects me in the following way(s):

**-WATER RUNOFF-** should be a concern to all surrounding property owners as an inadequate drainage plan was submitted by the Petitioner. It did not consider any drainage/water runoff to the East and South affected landowners.

**·FLOODING/DRAINAGE** - should concern all landowners downstream from Shankle Road to Novy Road to 4-mile creek to Village Cr to Telico and on to the Trinity River.

**An Extensive Drainage Plan should be demanded for the entire drainage/flooding inclusive of the entire path through Ellis County.**

**· SMELLS/ODORS FROM SEWER TREATMENT PLANT** – submitted plans by Petitioner are inadequate for the proposed development.

**An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of crop contamination downstream. This should be considered for the crops that people eat, and crops that are fed to their livestock.**

This MUD will impact my rural country neighborhood with ranchers and farmers. This MUD will impact our wildlife, cattle and food sources.

· **Wildlife Impact-** The proposed development is and historically has been a nesting ground for wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations.

All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain.

**An extensive wildlife impact study should be provided and demanded from the Petitioner.** This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock.

· **TRASH AND DEBRIS** - Developing property with a high density of housing creates excessive amounts of trash and debris throughout the area. The petitioner has not addressed the negative impact of excessive waste to surrounding properties and debris to the landfill.

**SAFETY/CRIME** - The additional low-cost housing developments create additional threats of theft, vandalism, and additional crimes that will create additional burdens to the Ellis County sheriff's Dept. **SAFETY CONCERN** for the citizens in the vicinity of the proposed MUD as well as for all residents of Ellis County.

**\*EMERGENCY SERVICES** - The Garrett and Bristol fire departments (Volunteer Departments) will not be equipped to handle the additional services, manpower and equipment needed for adequate fire protection for the additional developments. Even if the Petitioner donates land for a new Fire Station (which he hasn't) additional equipment and manpower will be needed. This cost will be passed on to the current residents in the towns and Emergency Services Districts.

**TRAFFIC** - the development will create congestion on all surrounding rural and Farm roads. 800 homes equal approximately 1600 additional cars every day.

**\*SCHOOLS-** The additional households will create an estimated 1040 students (2 elementary schools) for the Palmer ISD. This creates a huge burden on all property owners in Palmer ISD, a very small community, who cannot financially support this MUD.

Respectfully,



George Skrivanek

3354 Crisp Rd Ennis, Texas 75119

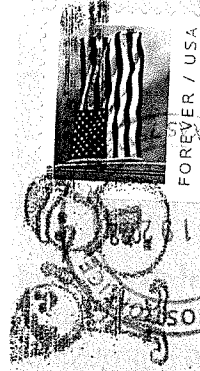
(972) 935-2909

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P.O. Box 13087

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9163 FM 660

Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:45  
CHIEF CLERKS OFFICE

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **9163 FM 660**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

Increased traffic, the roads are not well maintained.

The water runoff from said property will adversely affect my property with possible flooding.

My daughter and husband had purchased land and built a house about 2 miles from me and next to proposed site. I frequently visit them. It would not be pleasant to smell sewage and see trash scattered.

The said property is a wildlife haven to all birds and animals. Building a large complex will be disruptive to all wildlife.

Respectively submitted,

Mary Nell Sladeczek

469-383-2677

REVIEWED

DEC 23 2022

Dv [Signature]

H

9163 Fm Lelo  
Ennis, Tx. 75119

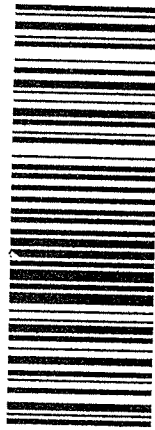
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CHIEF CLERK'S OFFICE

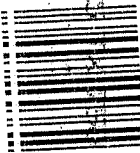
Office of the Chief Clerk, MLC-105, TCEQ,  
P.O. Box 13087  
Austin, Tx. 78711-308

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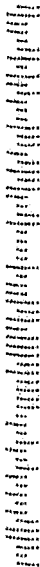
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Office of the Chief Clerk MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 20 2022  
By GCW H

RE: Petition D-08222022-044 Petitioned by Steve Selinger

Attn: Chief Clerk

We request a contested case hearing for Petition D-08222022-044 Petitioned by Shankle Road Municipal Utility District of Ellis County, TX.

We are entitled to a contested case hearing on the issues raised in the property located at 219 Chmelar Road, Ennis, TX 75119.

The creation of the MUD affects us in the following manor:

The development of the sewer plant will impact the wildlife on the property and surrounding properties. There are numerous trees and ponds that will be destroyed and using the creeks that run through this area has the potential of killing fish, birds and all wildlife. The sewer plant will also create a terrible odor in our area.

The 800 homes with multiple family members living in each household will create major trash, debris throughout our surrounding properties.

Our county roads and even city roads will be greatly impacted, congested with the extra 1600-1700 plus vehicles on the roads.

Garrett and Bristol Fire Departments are not equipped to handle that kind of capacity for potential fires and other emergencies and that is a big concern of ours. Low- cost housing often creates vandalism and theft and the Ellis County Sherriff's Department does not have the man-power, capacity to handle the added emergency situations.

Thank you for reviewing,

*Tim Slovacek Stacey Slovacek*

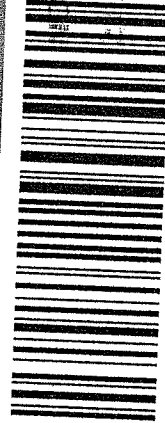
Tim and Stacey Slovacek  
617 Arleta Ln.  
Ennis, TX 75119

214-980-2867 (Tim)  
469-688-1702 (Stacey)

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Slovacek  
617 Arleta Ln  
Ennis TX 75119

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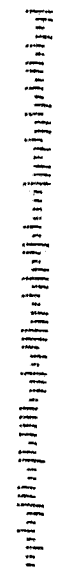
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Darren Slovak  
PO Box 369  
Ennis TX, 75120

December 15, 2022

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

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TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
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CHIEF CLERKS OFFICE

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

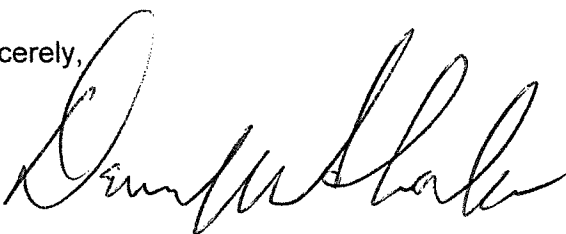
I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County Texas.

My property is located at 9505 FM 660 Ennis, TX.

The creation of this Utility District uniquely and adversely affects me in the following ways:

- Environmental and flooding concerns resulting from effluent discharge of water treatment plant effecting area, especially downstream. Environmental impact can impact existing livestock water sources negatively and adversely. Detrimental to way of life and income for existing residents.
- Raw sewage contamination of current top-shelf water sources.
- Traffic in the immediate area of FM 660 as a 2-lane rural Farm to Market Road currently not designed or engineered to accommodate the acute volume of traffic that would be created by the density.
- Roads in the immediate area of FM 660 and HWY 34 are not designed or engineered to accommodate the acute volume of traffic that would be created by the density.
- Acute Volume of traffic would create an immediate safety issue for existing residents in the area.
- Immediate school districts for Ennis and Palmer are not adequately designed to handle proposed acute density. Tax base is not appropriately structured to support. Tax base would be increased significantly.
- Emergency and Police services are not in place to support such acute density. Subject to criminal elements and creates immediate safety and wellbeing issue to existing residents in the area.

Sincerely,





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COMMISSION  
ON ENVIRONMENTAL  
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2027 DEC 19 AM 10: 57

CHIEF CLERKS OFFICE

Office of the Chief Clerk, MC105  
**TCEQ**  
PO Box 13087  
Austin, TX 78711-3087



Debbie Slovak  
PO Box 369  
Ennis TX, 75120

December 15, 2022

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

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CHIEF CLERKS OFFICE

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TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
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In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County Texas.

My property is located at 9505 FM 660 Ennis, TX.

The creation of this Utility District uniquely and adversely affects me in the following ways:

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- Roads in the immediate area of FM 660 and HWY 34 are not designed or engineered to accommodate the acute volume of traffic that would be created by the density.
- Acute Volume of traffic would create an immediate safety issue for existing residents in the area.
- Immediate school districts for Ennis and Palmer are not adequately designed to handle proposed acute density. Tax base is not appropriately structured to support. Tax base would be increased significantly.
- Emergency and Police services are not in place to support such acute density. Subject to criminal elements and creates immediate safety and wellbeing issue to existing residents in the area.

Sincerely,



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CHIEF CLERKS OFFICE

Office of the Chief Clerk, MC105

**TCEQ**

PO Box 13087

Austin, TX 78711-3087

P.O. Box 772  
Austin, TX 78720

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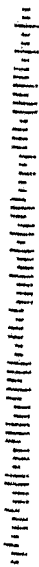
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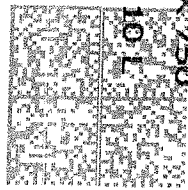
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Ennis, TX 75119

December 20, 2022

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Austin, TX 78711-3087

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In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

We request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

We are affected persons in ways not common to the general public and entitled to a contested case hearing on the issues raised in this hearing request.

PROPERTY DESCRIPTION:

Our property is located at 1128 Shankle Rd, Ennis, Texas, and is adjacent to the Selinger property, sharing a fence line on our east (see Exhibit A: "Location of Stiff Property in Relation to Selinger Property"). My homestead is 1.2 acres in size.

The creation of this Utility District uniquely and adversely affects us in the following ways:

1. According to Section 11.086 of the Texas Water Code,
  - (a) No person may divert or impound the natural flow of surface waters in this state, or permit a diversion or impounding by him to continue, in a manner that damages the property of another by the overflow of the water diverted or impounded.
  - (b) A person whose property is injured by an overflow of water caused by an unlawful diversion or impounding has remedies at law and in equity and may recover damages occasioned by the overflow.

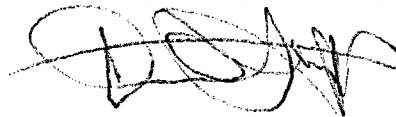
The natural flow of the Unnamed Tributary currently does not travel over our property, but does travel over the Selinger property before reaching Shankle Road (see Exhibit A for current flow path). Selinger needs to provide hydrology reports and drainage plans that ensure that the natural flow will not be rerouted to travel over our property, eroding our yard and fence, saturating our septic field, and rendering our home uninhabitable. This is a concern to us since the proposed Wastewater Treatment Facility (TCEQ permit application WQ-0016103001), if approved, would discharge up to an average of 500,000 gallons per day into this same Tributary in addition to stormwater. The combined flows will worsen the existing flooding that currently occurs in the Shankle Road drainage ditch during average storm events. Due to the large volume



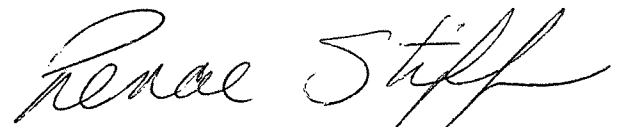
of water discharged, heavy erosion along the new flow path would certainly occur and flooding of my home may occur during storm events, whereas my home is not currently in a floodplain.

2. My family will be subjected to heavy construction traffic and noise for years to come, along with the nuisance of wind-driven trash on my property. All homeowners on Shankle Road and surrounding areas have minimum 1 acre lots that meet the Ellis County requirements. Most homes are situated on more than 10 acres. Traffic to and from the Shankle Road MUD property will pass in front of our home, as it is the most efficient route to metropolitan areas. It will become excessive, stressful, and change my quality of life and destroy the pastoral atmosphere, the reason we live here.

Respectively submitted,



David Stiff



Renae Stiff

Phone: 972-523-0789

1128 Shankle Rd.

Ennis, TX 75119

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28DEC '22 9:57

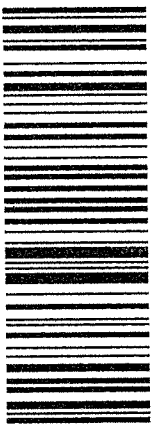
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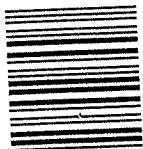
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Office of the Chief Clerk, M2105

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P.O. Box 13087

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Austin TX 78711-3087

## Christina Bourque

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, January 9, 2023 10:14 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044  
**Attachments:** Stiff Exhibit A.pdf

**From:** renaestiff@gmail.com <renaestiff@gmail.com>  
**Sent:** Friday, January 6, 2023 6:10 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM:**

**NAME:** Renae Stiff

**EMAIL:** [renaestiff@gmail.com](mailto:renaestiff@gmail.com)

**COMPANY:**

**ADDRESS:** 1128 SHANKLE RD  
ENNIS TX 75119-0116

**PHONE:** 9725230789

**FAX:**

**COMMENTS:** This attachment is referenced as "Exhibit A" in my comment letter dated December 20, 2022, and received by the TCEQ Chief Clerk on December 28, 2022. It was inadvertently not mailed, so I am uploading it now. I intend it to be part of my comments previously submitted, making them complete. Thank you.

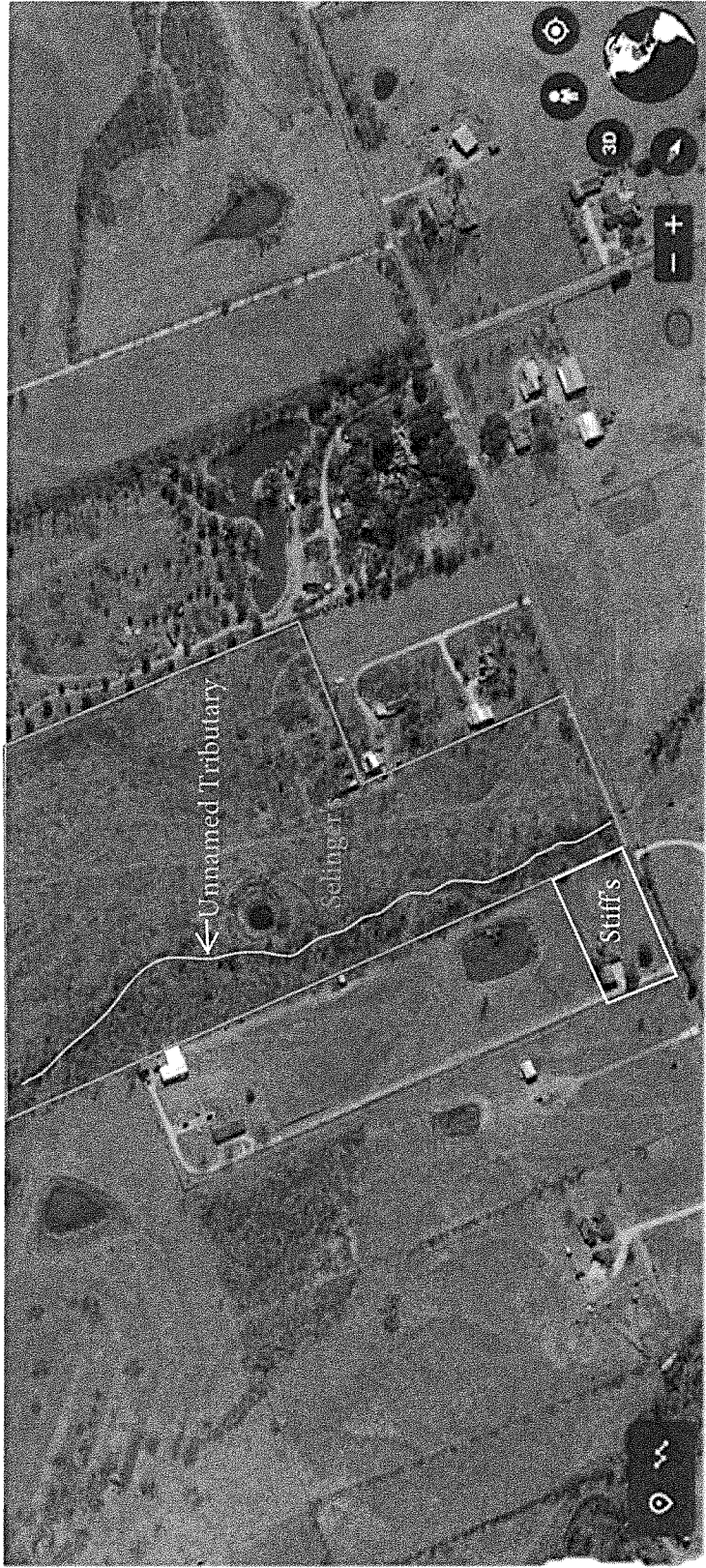


EXHIBIT A: Location of Stiff property in relation to Selinger property

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 19 AM 10:47

CHIEF CLERKS OFFICE

Evelyn Svehlak  
2816 E. Hwy 34  
Ennis TX, 75119

December 15, 2022

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

REVIEWED

DEC 20 2022

19DEC '22 10:47

*Gu* H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County Texas.

My property is located at 2816 E. Hwy 34 Ennis, TX.

The creation of this Utility District uniquely and adversely affects me in the following ways:

- Environmental and flooding concerns resulting from effluent discharge of water treatment plant effecting area, especially downstream. Environmental impact can impact existing livestock water sources negatively and adversely. Detrimental to way of life and income for existing residents.
- Raw sewage contamination of current top-shelf water sources.
- Traffic in the immediate area of FM 660 as a 2-lane rural Farm to Market Road currently not designed or engineered to accommodate the acute volume of traffic that would be created by the density.
- Roads in the immediate area of FM 660 and HWY 34 are not designed or engineered to accommodate the acute volume of traffic that would be created by the density.
- Acute Volume of traffic would create an immediate safety issue for existing residents in the area.
- Immediate school districts for Ennis and Palmer are not adequately designed to handle proposed acute density. Tax base is not appropriately structured to support. Tax base would be increased significantly.
- Emergency and Police services are not in place to support such acute density. Subject to criminal elements and creates immediate safety and wellbeing issue to existing residents in the area.

Sincerely,



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 19 AM 10: 47

CHIEF CLERKS OFFICE

Office of the Chief Clerk, MC105  
**TCEQ**  
PO Box 13087  
Austin, TX 78711-3087

Frankie Svehlak  
2816 E. Hwy 34  
Ennis TX, 75119

December 15, 2022

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Office of the Chief Clerk, MC 105  
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PO Box 13087  
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TEXAS  
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ON ENVIRONMENTAL  
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CHIEF CLERKS OFFICE

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County Texas.

My property is located at 2816 E. Hwy 34 Ennis, TX.

The creation of this Utility District uniquely and adversely affects me in the following ways:

- Environmental and flooding concerns resulting from effluent discharge of water treatment plant effecting area, especially downstream. Environmental impact can impact existing livestock water sources negatively and adversely. Detrimental to way of life and income for existing residents.
- Raw sewage contamination of current top-shelf water sources.
- Traffic in the immediate area of FM 660 as a 2-lane rural Farm to Market Road currently not designed or engineered to accommodate the acute volume of traffic that would be created by the density.
- Roads in the immediate area of FM 660 and HWY 34 are not designed or engineered to accommodate the acute volume of traffic that would be created by the density.
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- Emergency and Police services are not in place to support such acute density. Subject to criminal elements and creates immediate safety and wellbeing issue to existing residents in the area.

Sincerely, *Frankie Svehlak*

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

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CHIEF CLERKS OFFICE

Office of the Chief Clerk, MC105  
**TCEQ**  
PO Box 13087  
Austin, TX 78711-3087

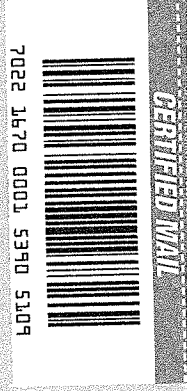


P.O. Box 772  
Ennis, TX 75020

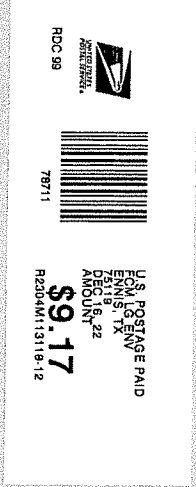
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P.O. Box 13087  
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DEC 19 2022

TEEQ MAIL CENTER  
AUSTIN, TX



Joe Svehlak  
355 Vannerson Rd  
Ennis TX, 75119

December 15, 2022

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

REVIEWED  
DEC 28 2022  
By GCW H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County Texas.

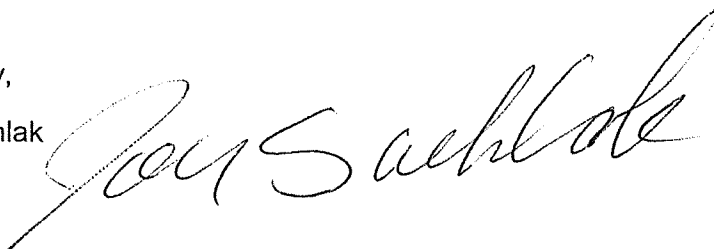
My property is located at 355 Vannerson Rd. Ennis, TX.

The creation of this Utility District uniquely and adversely affects me in the following ways:

- Environmental and flooding concerns resulting from effluent discharge of water treatment plant effecting area, especially downstream. Environmental impact can impact existing livestock water sources negatively and adversely. Detrimental to way of life and income for existing residents.
- Raw sewage contamination of current top-shelf water sources.
- Traffic in the immediate area of FM 660 & FM879 are 2-lane rural Farm to Market Roads currently not designed or engineered to accommodate the acute volume of traffic that would be created by the density.
- Roads in the immediate area of FM 660, FM879, and HWY 34 are not designed or engineered to accommodate the acute volume of traffic that would be created by the density.
- Acute Volume of traffic would create an immediate safety issue for existing residents in the area.
- Immediate school districts for Ennis and Palmer are not adequately designed to handle proposed acute density. Tax base is not appropriately structured to support. Tax base would be increased significantly.
- Emergency and Police services are not in place to support such acute density. Subject to criminal elements and creates immediate safety and wellbeing issue to existing residents in the area.

Sincerely,

Joe Svehlak



TCEQ OCC  
27DEC 22 10:32

355 VAN 31502  
Ennis, TX 75119

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS FOLD ALONG DOTTED LINE  
**CERTIFIED MAIL**



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DEC 27 2022

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U.S. POSTAGE  
FIRST CLASS PERMIT NO. 100  
ENNIS, TX  
75119  
DEC 21, 22  
AMOUNT  
**\$7.85**  
R2304M113349-89



78711



RDC 99

Office of the Chief Clerk - MC 105  
TCEQ  
PO BOX 13087  
AUSTIN TX 78711-3087

TCEQ

27DEC 22 10:32

Rhonda Svehlak  
355 Vannerson Rd  
Ennis TX, 75119

December 15, 2022

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

7 10 2022  
Gee H

TCEQ 000

27DEC '22 15:07

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County Texas.

My property is located at 355 Vannerson Rd. Ennis, TX.

The creation of this Utility District uniquely and adversely affects me in the following ways:

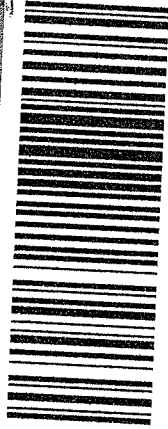
- Environmental and flooding concerns resulting from effluent discharge of water treatment plant effecting area, especially downstream. Environmental impact can impact existing livestock water sources negatively and adversely. Detrimental to way of life and income for existing residents.
- Raw sewage contamination of current top-shelf water sources.
- Traffic in the immediate area of FM 660 & FM879 are 2-lane rural Farm to Market Roads currently not designed or engineered to accommodate the acute volume of traffic that would be created by the density.
- Roads in the immediate area of FM 660, FM879, and HWY 34 are not designed or engineered to accommodate the acute volume of traffic that would be created by the density.
- Acute Volume of traffic would create an immediate safety issue for existing residents in the area.
- Immediate school districts for Ennis and Palmer are not adequately designed to handle proposed acute density. Tax base is not appropriately structured to support. Tax base would be increased significantly.
- Emergency and Police services are not in place to support such acute density. Subject to criminal elements and creates immediate safety and wellbeing issue to existing residents in the area.

Sincerely,

  
Rhonda Svehlak

R. Svehlak  
355 Vannerson Rd  
Ennis, TX 75119

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.  
**CERTIFIED MAIL**



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DEC 27 2022

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Office of the Chief Clerk, MC105  
TCEQ  
PO Box 13087  
Austin, TX 78711-3087



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75119  
DEC 21, 22  
AMOUNT  
**\$7.85**  
R2304M113349-89

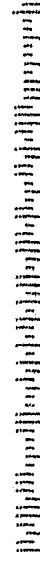


RDC 99

TCEQ 000

27DEC '22 15:07

78711-308797



# CAROLYN TAYLOR, CPM®

377 Eleven League Rd, Ennis, TX

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED #7022 0410 0000 9492 3708

December 15, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
AUSTIN, TX 78711-3087

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:42  
CHIEF CLERKS OFFICE

***IN RE: Petition D-08222022-044, petitioned by Steve Selinger***

Attention Chief Clerk:

I request a contested case hearing for Petition D-08222022-0447 petitioned by Steve Selinger, for the creation of the Shankle Road Municipal Utility District of Ellis County.

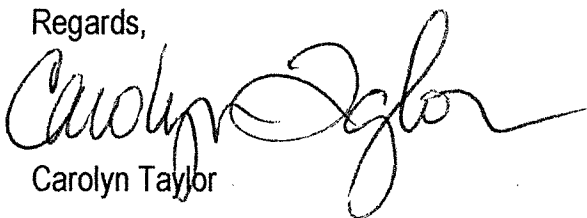
My property is on Penrod Field Road and consists of 114 acres approximately 2.5 miles from the Petitioner's development.

The creation of this Utility District uniquely and adversely affects my property in the following ways:

- My property is a distinct watershed for the area. It has a 13 acre soil and conservation lake originally developed in the 1970's;
- This soil and conservation lake is home to trophy large mouth black bass;
- The effluent from the Petitioner's MUD would distinctly harm the health and population of the fish; and
- The increased vehicular traffic on our roads would be harmful to the infrastructure and human life.

Thank you for your consideration of a case hearing.

Regards,

  
Carolyn Taylor

REVIEWED H

DEC 23 2022





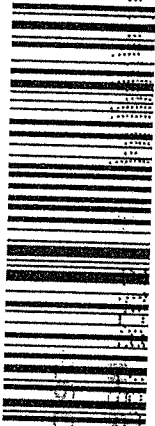
COMMISSION ON ENVIRONMENTAL QUALITY

2022 DEC 22 PM 2: 25

CHIEF CLERKS OFFICE

Carolyn Frank  
377 Evelyn League Rd  
Ennis, TX 75119-0298

REGISTERED MAIL

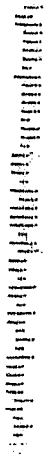


7022 0410 0000 9492 3708

ENNIS TX 750  
DEC 20 2022 PM 5 L

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

78711-3087



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FCM LETTER  
PALMER, TX  
75152  
DEC 16, 22  
AMOUNT

\$7.85

R2305K142764-10



78711



RDC 99

## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, December 22, 2022 2:38 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

**From:** ctaylorcpm@gmail.com <ctaylorcpm@gmail.com>  
**Sent:** Thursday, December 22, 2022 11:11 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** CAROLYN TAYLOR

**EMAIL:** [ctaylorcpm@gmail.com](mailto:ctaylorcpm@gmail.com)

**COMPANY:** Please Select

**ADDRESS:** 377 ELEVEN LEAGUE RD  
ENNIS TX 75119-0298

**PHONE:** 9728469900

**FAX:**

**COMMENTS:** I request denial of the creation of Shankle Road MUD. We own 115 acres near the proposed development. I have worked near a wastewater treatment plant before and know from experience the odor such a project emits. Also on our property is a soil and conservation lake which would be negatively impacted. Our part of Ellis County is beginning to see a healthy deer population and increased population and traffic would severely impact all wildlife in the area. The



infrastructure cannot support such a development. The area roads are not adequate to serve an increased population. Please deny the Petitioner's request.

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

December 15, 2022

2022 DEC 21 PM 1:15

CHIEF CLERKS OFFICE

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED #7022 0410 0000 9492 3692

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
AUSTIN, TX 78711-3087

REVIEWED

DEC 21 2022

Gau H

***IN RE: Petition D-08222022-044, petitioned by Steve Selinger***

Attention Chief Clerk:

I request a contested case hearing for Petition D-08222022-0447 petitioned by Steve Selinger, for the creation of the Shankle Road Municipal Utility District of Ellis County.

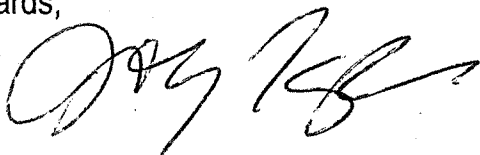
My property is on Penrod Field Road and consists of 114 acres approximately 2.5 miles from the Petitioner's development.

The creation of this Utility District uniquely and adversely affects my property in the following ways:

- My property is a distinct watershed for the area. It has a 13 acre soil and conservation lake originally developed in the 1970's;
- This soil and conservation lake is home to trophy large mouth black bass;
- The effluent from the Petitioner's MUD would distinctly harm the health and population of the fish; and
- The increased vehicular traffic on our roads would be harmful to the infrastructure and human life.

Thank you for your consideration of a case hearing.

Regards,



Jody Taylor



Jody Taylor  
377 Eleven League Rd  
Ennis TX 75119-0298

PERMUTUAL LIFE SOCIETY



7022 0410 0000 9492 3692

RECEIVED

DEC 21 2022

REG MAIL CENTER

CHIEF CLERK

2022 DEC 21

TEXAS  
COMMISSION  
ON ENVIRONMENTAL

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

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PALMER, TX  
75152  
DEC 16, 22  
AMOUNT  
\$7.85  
R2305K142764-10



RDC 99

CHIEF CLERKS OFFICE

## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 21, 2022 1:20 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044  
**Attachments:** Contested Hearing Form.docx

eComment = comment  
Attachment = H

**From:** lindsey.taylor21@icloud.com <lindsey.taylor21@icloud.com>  
**Sent:** Wednesday, December 21, 2022 10:59 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Lindsey Taylor

**EMAIL:** [lindsey.taylor21@icloud.com](mailto:lindsey.taylor21@icloud.com)

**COMPANY:**

**ADDRESS:** 561 NOVY RD  
ENNIS TX 75119-1419

**PHONE:** 2142131037

**FAX:**

**COMMENTS:** I request denial of the creation of Shankle Road MUD.

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **561 Novy Rd., Ennis, TX 75119**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

1. Water Runoff – Our property located on Novy Road already has substantial water runoff issues, worsened during any rainstorm. An inadequate drainage plan was submitted by the Petitioner. We are very concerned about the compound drainage issues this will cause on our property on Novy Road.
2. Flooding – Our home is not currently in the flood plain, but the back of our property is. We have never had issues with flooding and drainage so severe that it has affected our home, but we are concerned that this development will do so. The back 2 or 3 acres of our property frequently floods during any substantial rainstorm, and is much worse in certain seasons. Water already sits for weeks and sometimes months at a time in the spring on our property and all down Novy Road. Bridges are closed several times a year due to the flooding, leave some people's home inaccessible. Fortunately, up until this point, the bridge flooding on Novy Road has never reached our home; however, our home last year was only 50 yards from the flooding. We are concerned that this development will increase the flooding on our property and may affect our home. Again, an adequate drainage plan was not submitted for this development, and we request a plan inclusive of its entire path in Ellis County.
3. Smells and Odors – We are very concerned we will have malodorous smells from the sewer treatment plant. Our home is only 5 years old and is valued at half a million dollars. First, we should not have to deal with these smells, as we would not have selected Novy Road to build our house on had this treatment plant already been in the works. Second, Our home value is over half a million dollars. The county should be required to take into consideration surrounding home values prior to allowing such a development. Is the county going to give us a break on our property taxes due the unsightly smells, and therefore decrease in home value, that this plant will bring?
4. Wildlife Impact – When searching for our perfect property to build our dream home, the wild nature of the Novy Road area was so appealing to us. We loved the overgrowth of the trees and the free-roaming wildlife. We are concerned that this development will affect both of the things we love most about our surrounding land. We don't want nature to be destroyed with an overpopulated development and treatment plant.
5. Traffic – As development continues down the 45 corridor and highway 34, traffic congestion has become out of control. We are two working parents with 3 small children. We both have to get all 3 of our children to different schools and day care each day and then to work on time. The congestion at highway 34 and 45 is already severe. This area cannot handle a barrage of new vehicular traffic,

equivalent to 800 homes. Until traffic congestion is resolved on this side of the county, no new housing developments should be permitted.

6. Emergency Services – The local volunteer emergency services are not equipped to deal with 800 new homes. The Garrett, Bristol and Telico volunteer fire departments are already bogged down with the new individual houses popping up all over. Until a plan is made for emergency services in this area, no new housing developments should be permitted.

Respectively submitted,

**Jerad & Lindsey Taylor**

**214-213-1037**

**979-224-2611**

3360 E Hwy 34  
Ennis, TX 75119

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED

DEC 23 2022

*GCW*

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TCEQ OCC

28DEC '22 10:10

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

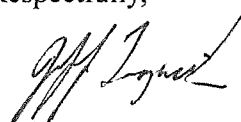
I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 3360 E Hwy 34.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

**This and its “sewage treatment facility” would not be far from my home. A project such as this would be in a better place where it and sewage facilities could have better regulation like within the boundaries of a municipality. It is the longterm effects of this that I am concerned about. Thank you!**

Respectfully,



Jeffrey Trojacek

972-935-6787

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



TCEQ OCC

28DEC '22 10:10

## NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-08222022-044

**PETITION.** Steve Selinger, (Petitioner) filed a petition for creation of Shankle Road Municipal Utility District of Ellis County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 and Article III, §52 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 181.5664 acres located within Ellis County, Texas; and (4) none of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city.

The territory to be included in the proposed District is depicted in the vicinity map designated as Exhibit "A," which is attached to this document.

The petition further states that the proposed District will: (1) purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) collect, transport, process, dispose of and control domestic, and commercial wastes; (3) gather, conduct, divert, abate, amend, and control local storm water or other local harmful excesses of water in the proposed District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and (5) purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with all of the purposes for which the proposed District is created. Additionally, the proposed District will be granted road powers.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$21,490,000 (\$12,925,000 for water, wastewater, and drainage and \$8,565,000 for roads).

**CONTESTED CASE HEARING.** The TCEQ may grant a contested case hearing on this petition if a written hearing request is filed within 30 days after the newspaper publication of this notice.



To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioners and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

**INFORMATION.** Written hearing requests should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC-103, at the same address. General information regarding TCEQ can be found at our web site <http://www.tceq.texas.gov/>.

Issued: November 23, 2022

TCEQ OCC

28DEC '22 10:10

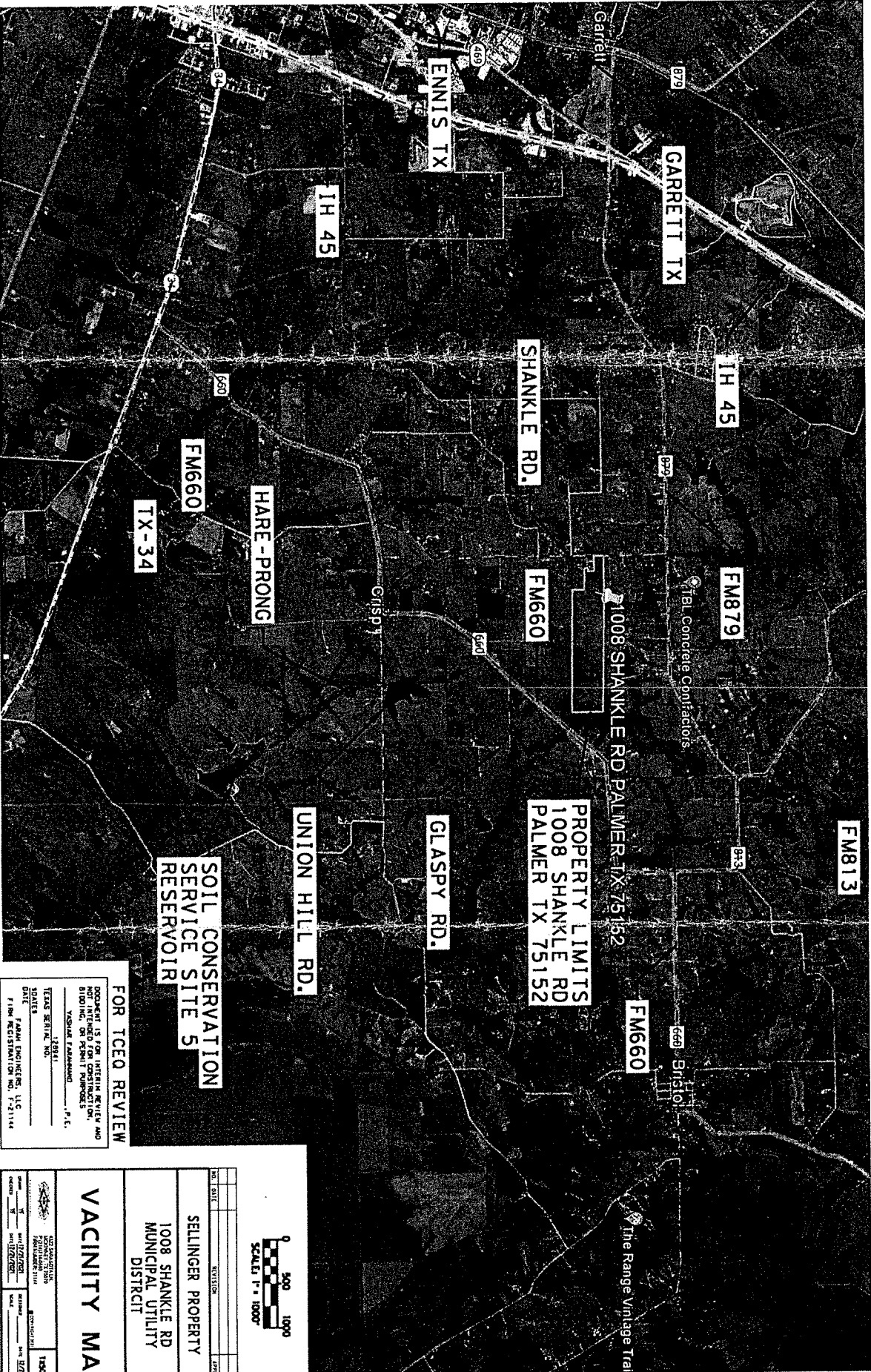
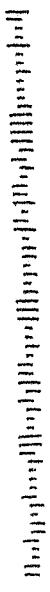


Exhibit "A"

**FOR TCEQ REVIEW**  
 COMMENT IS FOR INTERIM REVIEW AND NOT INTENDED FOR CONSTRUCTION BIDDING OR PERMIT PURPOSES  
 VASAR FARAMAKAND, P.E.  
 TEXAS SERIAL NO. 12984  
 DATE 11/27/2018  
 FIRM REGISTRATION NO. F-211144

<b>VACINITY MAP</b>	
1008 SHANKLE RD MUNICIPAL UTILITY DISTRICT	
SELLINGER PROPERTY	
NO. DATE	REVISION
SCALE 1" = 1000' 	
PROJECT NO. 11X5001-03 SHEET 1 OF 1	DATE 11/27/2018 DRAWN BY [Name] CHECKED BY [Name]

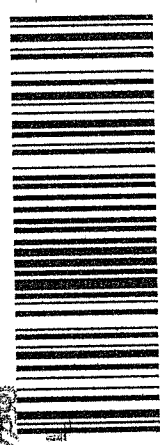


RECEIVED

DEC 28 2022

TCEQ MAIL CENTER  
AJ

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
**CERTIFIED MAIL**



7022 1670 0001 5390 7219

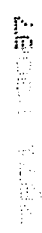
022 X4 SXEALHIBON

9 MAR 2022 03:02

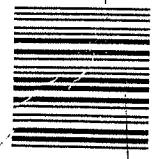
*Austin Texas*

*MC-105 TCEQ  
PO Box 13087*

*78711-308*



RDC 99



78711

U.S. POSTAGE PAID  
FCM LETTER  
ENNIS, TX  
75119  
DEC 20, 22  
AMOUNT  
**\$8.09**  
R2304M11318-12

TCEQ 000

28DEC 22 10:10

28DEC 22 10:10

TCEQ 000

December 21, 2022

7784 FM 879  
Palmer, TX 75119

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

DEC 27 2022  
Goe H

TCEQ OCC

27DEC '22 15:25

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **7784 FM 879 Palmer, Texas 75152**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

**\*Traffic** - the development will create congestion on all surrounding roads. 800 homes equal approximately 1600 additional cars every day.

**\*Schools**- The additional households will create an estimated 1040 students (2 elementary schools) for the Palmer ISD. This creates a huge burden on all property owners in Palmer ISD.

**\*Emergency Services** - The Garrett and Bristol fire departments will not be equipped to handle the additional services, manpower and equipment needed for adequate fire protection for the additional developments. Even if the Petitioner donates land for a new Fire Station (which he hasn't) additional equipment and manpower will be needed. This cost will be passed on to the current residents in the towns and Emergency Services Districts.

**\*Safety/Crime** - The additional low-cost housing developments create additional threats of theft, vandalism, and additional crimes that will create additional burdens to the Ellis County sheriff's Dept. This is a major concern of protection for all residents of Ellis County.

**Water runoff**- should concern all surrounding property owners as an inadequate drainage plan was submitted by the Petitioner. It did not consider any drainage/water runoff to the East and South affected landowners.

**Smells/ Odors from sewer treatment plant** – submitted plans by Petitioner are inadequate for the proposed development and additional developments the developer may add to the district.

Respectively submitted,

Wesley Turner

469.615.7422



## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 21, 2022 1:23 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

**From:** wes@mrgconstructionservices.com <wes@mrgconstructionservices.com>  
**Sent:** Wednesday, December 21, 2022 12:59 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTITY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Wesley Turner

**EMAIL:** [wes@mrgconstructionservices.com](mailto:wes@mrgconstructionservices.com)

**COMPANY:**

**ADDRESS:** 7784 FM 879  
PALMER TX 75152-9106

**PHONE:** 4696157422

**FAX:**

**COMMENTS:** I request denial of the creation of Shankle Road MUD do the following reasons. · Water runoff- should concern all surrounding property owners as an inadequate drainage plan was submitted by the Petitioner. It did not consider any drainage/water runoff to the East and South affected landowners. ·Flooding/drainage - should concern all landowners downstream from Shankle Road to Novy Road to 4-mile creek to Village Cr to Telico and on to the Trinity River. An extensive drainage plan should be demanded for the entire drainage/flooding inclusive of the entire path

through Ellis County. · Smells/ Odors from sewer treatment plant – submitted plans by Petitioner are inadequate for the proposed development and additional developments the developer may add to the District. An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of crop contamination downstream. \*Traffic - the development will create congestion on all surrounding roads. 800 homes equal approximately 1600 additional cars every day. \*Schools- The additional households will create an estimated 1040 students (2 elementary schools) for the Palmer ISD. This creates a huge burden on all property owners in Palmer ISD. \*Emergency Services - The Garrett and Bristol fire departments will not be equipped to handle the additional services, manpower and equipment needed for adequate fire protection for the additional developments. Even if the Petitioner donates land for a new Fire Station (which he hasn't) additional equipment and manpower will be needed. This cost will be passed on to the current residents in the towns and Emergency Services Districts. \*Safety/Crime - The additional low-cost housing developments create additional threats of theft, vandalism, and additional crimes that will create additional burdens to the Ellis County sheriff's Dept. This is a major concern of protection for all residents of Ellis County.

## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, December 22, 2022 2:39 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

H

**From:** cvalek2010@yahoo.com <cvalek2010@yahoo.com>  
**Sent:** Thursday, December 22, 2022 11:33 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Chris Valek

**EMAIL:** [cvalek2010@yahoo.com](mailto:cvalek2010@yahoo.com)

**COMPANY:**

**ADDRESS:** 380 TROJACEK RD  
ENNIS TX 75119-1666

**PHONE:** 9723512579

**FAX:**

**COMMENTS:** I request denial of the creation of Shankle Road MUD. I also request a contested case hearing. I have concerns about how this high density project could affect our roads, our local schools, local property values in the vicinity of the project. Also how will it affect the flood zone where the wastewater will end up? What will we do about the local wildlife that will be disturbed which many of us enjoy. How will this high density of people be protected regarding emergency services. How will the water pressure be affected as we already experience times of reduced



capacity. I am also concerned about odor and how it will affect my life at home as I am nearby to the proposed project. Also what will be done to make sure the MUD is properly managed after the 3 year period. What about trash? Has a study been done to know how much runoff is expected from all the concrete paving a roof runoff?

**Ellie Guerra**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Friday, December 23, 2022 3:45 PM  
**To:** Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number D08222022044

H

**From:** john1950vance@gmail.com <john1950vance@gmail.com>  
**Sent:** Friday, December 23, 2022 1:08 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** John Vance

**EMAIL:** [john1950vance@gmail.com](mailto:john1950vance@gmail.com)

**COMPANY:**

**ADDRESS:** 212 EASON RD  
ENNIS TX 75119-0097

**PHONE:** 4693372595

**FAX:**

**COMMENTS:** I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 212 Eason Road, Ennis, Tx. The creation of this Utility District uniquely and adversely affects me in the following way(s): Water runoff is a huge concern for me as a surrounding property owner. Currently, when it rains, water from every direction collects to the middle of my property and runs into my pond. A poorly planned housing development will lead to even greater flooding issues and the collection of unwanted trash and debris on my property.

This year, I lost hundreds of fish in my stock pond due to pollution from water runoff. I can not imagine the future devastation we WILL encounter if this housing development is created. An inadequate drainage plan was submitted by the Petitioner and did not consider any drainage/water runoff to the East and South affected landowners. With such a high density of housing, excessive amounts of trash, debris, and clutter will have a negative impact on my property, not to mention, the impact it will have on the local landfill and surrounding properties. · Wildlife Impact- The proposed development is, and historically has been, a nesting ground for wildlife due to the extensive number of trees, brush cover, and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain. An extensive wildlife impact study should be provided and demanded from the Petitioner. This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock. On a more personal note, I retired to the country, as did many of my neighbors, to enjoy open spaces, less traffic, and the tranquility of the countryside. This development will forcibly impact the quiet life I have made for myself, creating major traffic and safety issues. With a large housing development comes the addition of more people. More people create more emergency situations and the threat of crime that burden our already overburdened sheriff's office, the volunteer fire department, and EMS. I love it here, and I understand that change is inevitable; however, I also believe change should have a positive impact on everyone it touches. The proposed creation of Shankle Road Municipal Utility District of Ellis County is not the kind of change a community should expect. I appreciate that you will take all of these things into careful consideration as you deliberate your decision. Respectively submitted, John Vance

212 Eason Road  
Ennis, TX 75119

TCEQ OCC

21DEC '22 11:02

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED

DEC 21 2022

Gaw H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 212 Eason Road, Ennis, Tx.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

**Water runoff** is a huge concern for me as a surrounding property owner. Currently, when it rains, water from every direction collects to the middle of my property and runs into my pond. A poorly planned housing development will lead to even greater flooding issues and the collection of unwanted trash and debris on my property. This year, I lost hundreds of fish in my stock pond due to pollution from water runoff. I can not imagine the future devastation we WILL encounter if this housing development is created. An inadequate drainage plan was submitted by the Petitioner and did not consider any drainage/water runoff to the East and South affected landowners. With such a high density of housing, excessive amounts of trash, debris, and clutter will have a negative impact on my property, not to mention, the impact it will have on the local landfill and surrounding properties.

· **Wildlife Impact**- The proposed development is and historically has been a nesting ground for wildlife due to the extensive number of trees, brush cover, and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain.

**An extensive wildlife impact study should be provided and demanded from the Petitioner.** This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock.

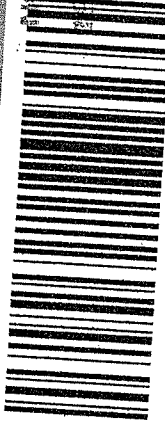
On a more personal note, I retired to the country, as did many of my neighbors, to enjoy open spaces, less traffic, and the tranquility of the countryside. This development will forcibly impact the quiet life I have made for myself, creating major traffic and safety issues. With a large housing development comes the addition of more people. More people create more emergency situations and the threat of crime that burden our already overburdened sheriff's office, the volunteer fire department, and EMS. I love it here, and I understand that change is inevitable; however, I also believe change should have a positive impact on everyone it touches-including the people who will spend their savings to buy into a sub-par housing development. The proposed creation of Shankle Road Municipal Utility District of Ellis County is not the kind of change a community should expect. I appreciate that you will take all of these things into careful consideration as you deliberate your decision.

Respectively submitted,

John Vance  
(469)337-2595

212 Eason-Roh  
ENNIS, TX. 75719

**CERTIFIED MAIL**



7022 1670 0001 5390 5130



78711



RDC 99

U.S. POSTAGE PAID  
FCM LETTER  
ENNIS, TX  
75719  
DEC 19, 22  
AMOUNT

**\$7.85**

R2304M115704-89

**RECEIVED**

**DEC 21 2022**

TOEG MAIL CENTER  
AJ

Office of the Chief Clerk, MC 105  
TC EQ  
R.O. Box 13087  
Austin, Tx. 78711-3087

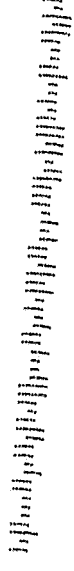
Att: Chief Clerk

ON TIME DELIVERY  
QUALITY

2022 DEC 21 AM 11: 01

CHIEF CLERK'S OFFICE

78711-308767



**Ellie Guerra**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Friday, December 23, 2022 1:05 PM  
**To:** Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number D08222022044

H

**From:** kathyvance777@gmail.com <kathyvance777@gmail.com>  
**Sent:** Friday, December 23, 2022 1:04 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Kathy Vance

**EMAIL:** [kathyvance777@gmail.com](mailto:kathyvance777@gmail.com)

**COMPANY:**

**ADDRESS:** 212 EASON RD  
ENNIS TX 75119-0097

**PHONE:** 4693370449

**FAX:**

**COMMENTS:** I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 212 Eason Road, Ennis, Tx. The creation of this Utility District uniquely and adversely affects me in the following way(s): Water runoff is a huge concern for me as a surrounding property owner. Currently, when it rains, water from every direction collects to the middle of my property and runs into my pond. A poorly planned housing development will lead to even greater flooding issues and the collection of unwanted trash and debris on my property.

This year, I lost hundreds of fish in my stock pond due to pollution from water runoff. I can not imagine the future devastation we WILL encounter if this housing development is created. An inadequate drainage plan was submitted by the Petitioner and did not consider any drainage/water runoff to the East and South affected landowners. With such a high density of housing, excessive amounts of trash, debris, and clutter will have a negative impact on my property, not to mention, the impact it will have on the local landfill and surrounding properties. - Wildlife Impact- The proposed development is, and historically has been, a nesting ground for wildlife due to the extensive number of trees, brush cover, and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain. An extensive wildlife impact study should be provided and demanded from the Petitioner. This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock. On a more personal note, I retired to the country, as did many of my neighbors, to enjoy open spaces, less traffic, and the tranquility of the countryside. This development will forcibly impact the quiet life I have made for myself, creating major traffic and safety issues. With a large housing development comes the addition of more people. More people create more emergency situations and the threat of crime that burden our already overburdened sheriff's office, the volunteer fire department, and EMS. I love it here, and I understand that change is inevitable; however, I also believe change should have a positive impact on everyone it touches. The proposed creation of Shankle Road Municipal Utility District of Ellis County is not the kind of change a community should expect. I appreciate that you will take all of these things into careful consideration as you deliberate your decision. Respectively submitted, Kathy Vance



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

212 Eason Road  
Ennis, TX 75119

2022 DEC 21 PM 1:14

December 21, 2022

CHIEF CLERKS OFFICE

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 21 2022  
Gw H

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 212 Eason Road, Ennis, Tx.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

**Water runoff** is a huge concern for me as a surrounding property owner. Currently, when it rains, water from every direction collects to the middle of my property and runs into my pond. A poorly planned housing development will lead to even greater flooding issues and the collection of unwanted trash and debris on my property. This year, I lost hundreds of fish in my stock pond due to pollution from water runoff. I can not imagine the future devastation we WILL encounter if this housing development is created. An inadequate drainage plan was submitted by the Petitioner and did not consider any drainage/water runoff to the East and South affected landowners. With such a high density of housing, excessive amounts of trash, debris, and clutter will have a negative impact on my property, not to mention, the impact it will have on the local landfill and surrounding properties.

· **Wildlife Impact-** The proposed development is, and historically has been, a nesting ground for wildlife due to the extensive number of trees, brush cover, and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain.

**An extensive wildlife impact study should be provided and demanded from the Petitioner.** This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock.

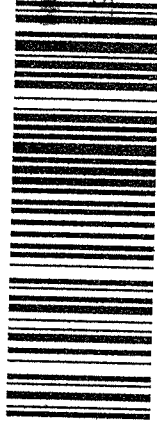
On a more personal note, I retired to the country, as did many of my neighbors, to enjoy open spaces, less traffic, and the tranquility of the countryside. This development will forcibly impact the quiet life I have made for myself, creating major traffic and safety issues. With a large housing development comes the addition of more people. More people create more emergency situations and the threat of crime that burden our already overburdened sheriff's office, the volunteer fire department, and EMS. I love it here, and I understand that change is inevitable; however, I also believe change should have a positive impact on everyone it touches. The proposed creation of Shankle Road Municipal Utility District of Ellis County is not the kind of change a community should expect. I appreciate that you will take all of these things into careful consideration as you deliberate your decision.

Respectively submitted,

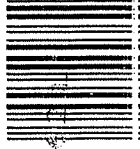
Kathy Vance  
(469)337-0449

212 Eason Rd.  
Austin, TX. 75119

**CERTIFIED MAIL**



7022 1670 0001 5390 5147 RDC 99



78711

U.S. POSTAGE PAID  
FIRST CLASS PERMIT NO. 100  
AUSTIN, TX  
DEC 19, 2022  
AMOUNT  
**\$7.00**  
R2304M115704-89

**RECEIVED**

**DEC 21 2022**

TCEQ MAIL CENTER  
AJ

Attn: Chief Clerk

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

**DEC 21 PM 1:14**

**CHIEF CLERKS OFFICE**

Office of the Chief Clerk, MC 105  
TCEQ  
PO Box 13087  
Austin, Tx. 78711-3087

275 Novy Road  
Ennis, TX 75119

December 20, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 275 Novy Road, Ennis TX 75119, 1.4 miles Southeast of the proposed district's boundaries. My property is also downstream from Shankle Road with Four Mile Creek snaking through roughly eight (8) of our ten (10) heavily wooded acres with numerous natural wildlife habitats for deer, song & migratory birds, owls and honeybees. Another estimated two acres is in the flood zone of the creek and is used for hay production for livestock and has several pecan trees on it as well that my family harvest.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- potential increase in flooding onto our homestead tract of land,
- contamination of the water source for the migratory and natural wildlife in our area and my outdoor domestic pets (chickens, dogs and cats),
- an odor/smell from the water sewer treatment plant may make it difficult for me to sell the property in the future,
- risk for my hay field to become contaminated, sold and then fed to livestock, and
- migration of more predatory wildlife, such as coyotes and bobcats, to my property due to complete destruction and development on a well-known wildlife habitat, causing me to have to provide additional protection for my chickens and outdoor pets.

Lastly, I am extremely concerned about my family's safety putting in such a large low-cost housing development so close to my property. There will be an increase in threats of theft, vandalism, and additional crimes and that will create additional burdens to myself and the Ellis County Sheriff's Office. This is a huge concern to me and protection of all Ellis County residents and taxpayers should be greatly considered.

Therefore, I propose the following adjustments be made:

- an extensive drainage plan is necessary for the entire drainage/flooding inclusive of the entire path through Ellis County
- an extensive environmental impact study on the effects of excessive water generated by development and effects of crop contamination downstream
- and an extensive wildlife impact study should be done as well

Respectively submitted,

*Pamela Voris*

Pamela Voris  
(936) 520-2234

REVIEWED

DEC 23 2022

BY *[Signature]*

*H*

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:33  
CHIEF CLERKS OFFICE

1008 Shankle Rd,  
Ennis, TX 75119

660

Crisp

660

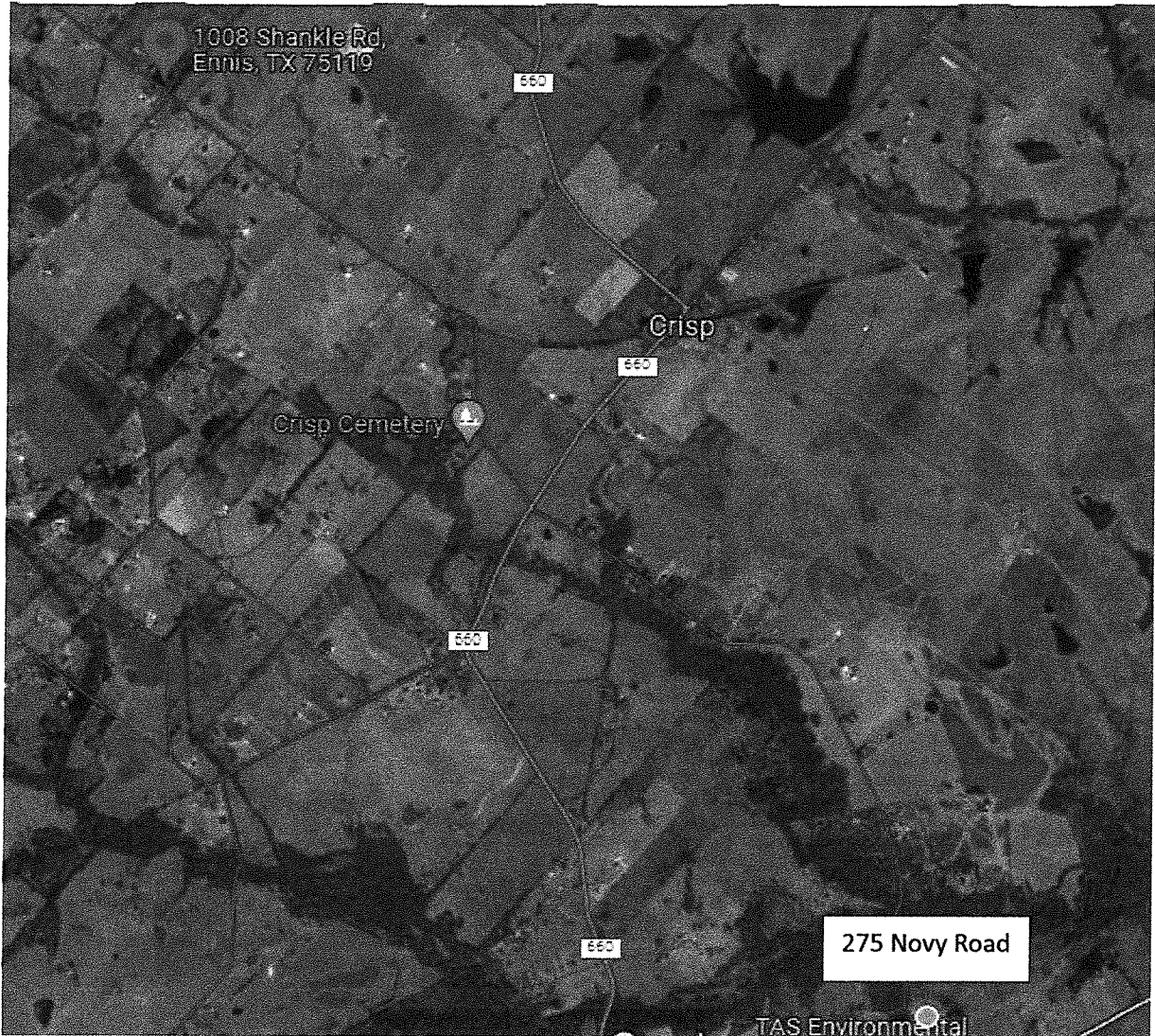
Crisp Cemetery

660

660

275 Novy Road

TAS Environmental



Novy Investments  
Volume 2420 Page 473

11.0181  
Acres

Recorded December 17, 2015  
Clerk's No. 15329885  
Paul Mitchell, et ux

Special Flood Hazard Area as shown  
on FEMA Community Panel No. 4839C0380F  
dated June 13, 2013.

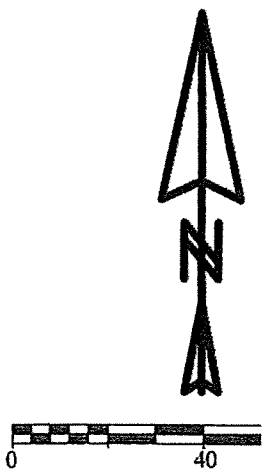
Mark E. Hinson, et ux  
Recorded August 9, 2016  
Clerk's No. 1621607

2 Story Wood & Stone  
# 275

Frame  
Building

Novy Road

Joe Frank Novak, et ux  
Volume 615 Page 238



Line	Bearing	Distance
1	S 73°16'35"W	176.19'
2	N 58°27'57"W	157.31'
3	N 68°54'17"W	102.74'

- Notes: 1. The following easements are not included:  
 a. T. P. & L. Volume 371 Page 21  
 b. T. P. & L. Volume 378 Page 57  
 2. The following easements are "blank" and contain sufficient information to be located:  
 a. Rice Water Volume 1795 Page Volume 2083 Page 1316 & Vc

**SURVEYOR'S DECLARATION**

I hereby declare that this true and accurate survey made on the ground under my personal supervision on February 16, 2018, correctly shows the relation of the buildings and other structures to the property lines of the land indicated hereon, and that there are no encroachments or overlaps onto adjoining property of property covered by this survey, or of adjoining land or structures on said land, except as shown, noted or described on the survey. This survey is subject to any easements not visible on the ground.

*[Signature]*  
SURVEYOR

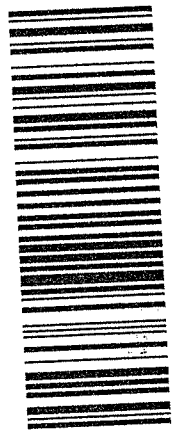
Pamela Voris  
215 Navy Road  
Emmis, TX 75119

COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 22 PM 2: 26

CHIEF CLERKS OFFICE

**CERTIFIED MAIL**



2022 1670 0001 5390 7233

NOF

20 DEC 20 22



RDC 99



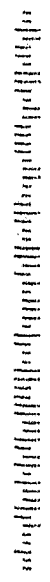
78711

U.S. POSTAGE PAID  
FCM LETTER  
EMMIS, TX  
DEC 20, 22  
AMOUNT

**\$8.09**  
R2304M113118-12

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

78711-3087



## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, December 22, 2022 9:45 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

**From:** pamela.manzo@me.com <pamela.manzo@me.com>  
**Sent:** Wednesday, December 21, 2022 2:06 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** MRS Pamela Voris

**EMAIL:** [pamela.manzo@me.com](mailto:pamela.manzo@me.com)

**COMPANY:**

**ADDRESS:** 275 NOVY RD  
ENNIS TX 75119-1484

**PHONE:** 9365202234

**FAX:**

**COMMENTS:** I request denial of the creation of Shankle Road MUD. \*Waste water treatment plant- I am concerned about possibility of contamination into four mile creek downstream into my property. \*Flooding-four mile flood creek snakes through my property and I'm concerned about the increase in water causes flooding onto my homestead not currently in a flood zone. Also, my hayfield being contaminated with sewage. \*Odor-developing 800 homes will cause sewage to have odor and this will affect the creek that snakes thru my 10 acre ag land and make -it difficult for me to sell



in the future. \*Trash-Novy Road is already a cut thru road from Shankle and im concerned the lower income population coming into this development will most likely cause additional littering onto our street, especially the three bridges and were my property is located relative the the bridges that cross over the four mile creek. \*Traffic-our country road will see an increase in traffic leading to higher rates of littering, vandalizing, theft and other crimes. This street has higher price point homes, larger acreage and gated homes. We don't want 800 lower income housing to be developed this close to our street. \*Road conditions-800 lower income homes will cause roads to need repairs more often. \*Wildlife-this land is known for being a huge wildlife habitat and destroying these habitats will cause my area to see an increase in predatory animals causing me to provide additional safety for my animals, especially since my property has the four mile creek on it (downstream from Shankle development). We have migratory and natural animals living in our heavy wooded 10 acres and I'm afraid of the effects this development will have on it all. I propose the following studies to be done: -regional drainage plan for all downstream creeks/rivers -wildlife study on current habitats on property - environmental impact study on effects of excessive water and effects on crop contamination.

2004 Parker Hill Rd  
Palmer, TX 75152

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

RECEIVED  
TCEQ OCC  
DEC 23 2022  
Gau H  
27DEC '22 15:03

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **2004 Parker Hill Rd, Palmer Tx 75152.**

The creation of this Utility District uniquely and adversely affects me in the following way(s):

· ***Flooding/drainage*** - should concern all landowners downstream from Shankle Road to Novy Road to 4-mile creek to Village Cr to Telico and on to the Trinity River.

**An extensive drainage plan should be demanded for the entire drainage/flooding inclusive of the entire path through Ellis County.**

· ***Smells/ Odors from sewer treatment plant*** – submitted plans by Petitioner are inadequate for the proposed development and additional developments the developer may add to the District.

**An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of crop contamination downstream.**

· ***Wildlife Impact-*** The proposed development is and historically has been a nesting ground for wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations.

All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain.

**An extensive wildlife impact study should be provided and demanded from the Petitioner.** This development will also forcibly relocate predatory animals such as coyotes to

surrounding properties burdening the landowners with additional protection necessary for chickens, ducks, geese, birds, pets, and livestock.

***Trash/Debris/clutter*** - Developing property with such a high density of housing creates excessive amounts of trash, debris and clutter throughout the surrounding properties. The petitioner has not addressed the negative impact of excessive waste to surrounding properties and debris to the landfill.

***Traffic*** - the development will create congestion on all surrounding roads. 800 homes equal approximately 1600 additional cars every day.

***Schools***- The additional households will create an estimated 1040 students (2 elementary schools) for the Palmer ISD. This creates a huge burden on all property owners in Palmer ISD.

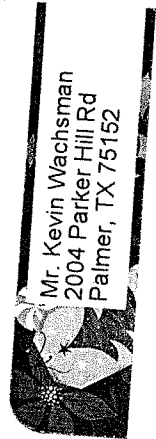
***Emergency Services*** - The Garrett and Bristol fire departments will not be equipped to handle the additional services, manpower and equipment needed for adequate fire protection for the additional developments. Even if the Petitioner donates land for a new Fire Station (which he hasn't) additional equipment and manpower will be needed. This cost will be passed on to the current residents in the towns and Emergency Services Districts.

***Safety/Crime*** - The additional low-cost housing developments create additional threats of theft, vandalism, and additional crimes that will create additional burdens to the Ellis County sheriff's Dept. This is a major concern of protection for all residents of Ellis County.

Respectively submitted,,

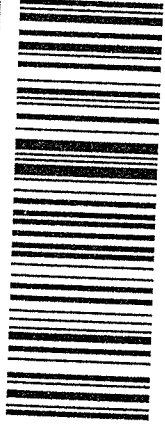
**Kevin Wacilsmam**

**972-935-1294**



Mr. Kevin Wachsmen  
2004 Parker Hill Rd  
Palmer, TX 75152

UNITED STATES POSTAL SERVICE



7022 0410 0000 9492 3869

NOV 21 2022



78711

U.S. POSTAGE PAID  
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PALMER, TX  
75152  
DEC 21, 22  
AMOUNT

**\$4.60**

R2305K142764-10

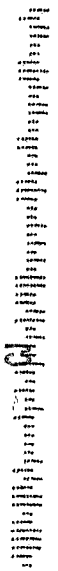
OFFICE of The Chief Clerk, MC-105, TCEQ  
P.O. Box 13087  
Austin, TX 78711-308

RECEIVED

DEC 27 2022

TCEQ MAIL CENTER

TCEQ DOC  
27DEC 22 15:03



78711-308787

MR. JOSH WARNER  
645 SHANKLE RD  
ENNIS, TX 75119

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

DEC 20 2022  
Gow H

TCEQ OCC  
28DEC '22 9:54

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

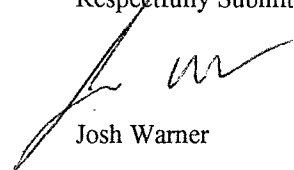
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Respectfully Submitted,

  
Josh Warner  
(315) 374-0291

WARNER  
645 SHAN KUERD  
DENNIS, TX 75119

2022 1670 0002 2783 1099



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE  
**CERTIFIED MAIL**



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75142  
DEC 21, 22  
AMOUNT

**\$7.85**

R2305E124105-20

Office of the Chief Clerk of the US

TCEQ

P.O. BOX 13087

AUSTIN TX 78711-3087

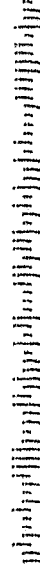
DEC 26 2022

TCEQ MAIL CENTER  
AUSTIN

TUEDEC 22

9:54

NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES



**Ellie Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 28, 2022 10:03 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044 Failed in prod  
**Attachments:** Shankle MUD Letter\_JW.pdf; Re: TCEQ eComments

H

**From:** Mehgan Taack <Mehgan.Taack@tceq.texas.gov>  
**Sent:** Tuesday, December 27, 2022 11:06 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Cc:** PUBCOMMENT-OCC2 <PUBCOMMENT-OCC2@tceq.texas.gov>  
**Subject:** FW: Public comment on Permit Number D-08222022-044 Failed in prod

The following comment failed due to the original attachment being corrupt (PDF attached above). The attached email from Mr. Warner includes the same attachment, but is not corrupt and it opens. The comment from below may also need to be pasted in Mr. Warner's IP record. Please let me know if you have any questions.

Thank you,  
Mehgan

**From:** [genweb@tceq.texas.gov](mailto:genweb@tceq.texas.gov) <[genweb@tceq.texas.gov](mailto:genweb@tceq.texas.gov)>  
**Sent:** Thursday, December 22, 2022 8:48 PM  
**To:** GENWEB <[GENWEB@tceq.texas.gov](mailto:GENWEB@tceq.texas.gov)>; CHIEFCLK <[chiefclk@tceq.texas.gov](mailto:chiefclk@tceq.texas.gov)>  
**Subject:** Public comment on Permit Number D-08222022-044 Failed in prod

CID Interested Person Data saved Successfully. Save ecomment Document Failed.

Web Service uploadCommentAndDoc failed. Below is the Response object

Comment header Id: None returned

Error Message: A Document Data is required.

Return Code: -999

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errorMsg	A Document Data is required.
obj	ECM
resultsMap	response - struct [empty]
returnCd	-999

SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** MR Josh Warner

**EMAIL:** [joshwarner@hotmail.com](mailto:joshwarner@hotmail.com)

**COMPANY:**

**ADDRESS:** 645 SHANKLE RD  
ENNIS TX 75119-0107

**PHONE:** 3153740291

**FAX:**

**COMMENTS:** To whom it may concern: Please see the attachment which contains my comments in regard to this permit. I am requesting a contested case hearing for petition D-08222022-044. Thank you



## Ellie Guerra

---

**From:** Josh Warner <joshwarner@hotmail.com>  
**Sent:** Tuesday, December 27, 2022 10:53 AM  
**To:** Mehgan Taack  
**Subject:** Re: TCEQ eComments  
**Attachments:** Shankle MUD Letter\_JW.pdf

Here you go.  
Let me know if it still doesn't open.  
Thanks,

Josh

---

**From:** Mehgan Taack <Mehgan.Taack@tceq.texas.gov>  
**Sent:** Tuesday, December 27, 2022 10:47 AM  
**To:** joshwarner@hotmail.com <joshwarner@hotmail.com>  
**Subject:** TCEQ eComments

Thank you, Josh!

MR. JOSH WARNER  
645 SHANKLE RD  
ENNIS, TX 75119

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

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Respectfully Submitted,

Josh Warner  
(315) 374-0291

**Ellie Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 28, 2022 10:02 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044 Failed in prod  
**Attachments:** Shankle MUD Letter\_JW.pdf; Re: TCEQ eComments

H

**From:** Mehgan Taack <Mehgan.Taack@tceq.texas.gov>  
**Sent:** Tuesday, December 27, 2022 11:05 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Cc:** PUBCOMMENT-OCC2 <PUBCOMMENT-OCC2@tceq.texas.gov>  
**Subject:** FW: Public comment on Permit Number D-08222022-044 Failed in prod

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**From:** [genweb@tceq.texas.gov](mailto:genweb@tceq.texas.gov) <[genweb@tceq.texas.gov](mailto:genweb@tceq.texas.gov)>  
**Sent:** Thursday, December 22, 2022 8:48 PM  
**To:** GENWEB <[GENWEB@tceq.texas.gov](mailto:GENWEB@tceq.texas.gov)>; CHIEFCLK <[chiefclk@tceq.texas.gov](mailto:chiefclk@tceq.texas.gov)>  
**Subject:** Public comment on Permit Number D-08222022-044 Failed in prod

CID Interested Person Data saved Successfully. Save ecomment Document Failed.

Web Service uploadCommentAndDoc failed. Below is the Response object

Comment header Id: None returned

Error Message: A Document Data is required.

Return Code: -999

response - struct	
errorMsg	A Document Data is required.
obj	ECM
resultsMap	response - struct [empty]
returnCd	-999

SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** MR Josh Warner

**EMAIL:** [joshwarner@hotmail.com](mailto:joshwarner@hotmail.com)

**COMPANY:**

**ADDRESS:** 645 SHANKLE RD  
ENNIS TX 75119-0107

**PHONE:** 3153740291

**FAX:**

**COMMENTS:** To whom it may concern: Please see the attachment which contains my comments in regard to this permit. I am requesting a contested case hearing for petition D-08222022-044. Thank you

**Ellie Guerra**

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**Sent:** Tuesday, December 27, 2022 10:53 AM  
**To:** Meghan Taack  
**Subject:** Re: TCEQ eComments  
**Attachments:** Shankle MUD Letter\_JW.pdf

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Thanks,

Josh

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**From:** Meghan Taack <Meghan.Taack@tceq.texas.gov>  
**Sent:** Tuesday, December 27, 2022 10:47 AM  
**To:** joshwarner@hotmail.com <joshwarner@hotmail.com>  
**Subject:** TCEQ eComments

Thank you, Josh!

MR. JOSH WARNER  
645 SHANKLE RD  
ENNIS, TX 75119

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

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Respectfully Submitted,

Josh Warner  
(315) 374-0291

## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, December 20, 2022 11:13 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044  
**Attachments:** Shankle MUD Letter\_JW.pdf

H

**From:** joshwarner@hotmail.com <joshwarner@hotmail.com>  
**Sent:** Tuesday, December 20, 2022 10:07 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** MR Josh Warner

**EMAIL:** [joshwarner@hotmail.com](mailto:joshwarner@hotmail.com)

**COMPANY:**

**ADDRESS:** 645 SHANKLE RD  
ENNIS TX 75119-0107

**PHONE:** 3153740291

**FAX:**

**COMMENTS:** To whom it may concern: Please see the attachment which contains my comments in regard to this permit. I am requesting a contested case hearing for petition D-08222022-044. Thank you

MR. JOSH WARNER  
645 SHANKLE RD  
ENNIS, TX 75119

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

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Josh Warner  
(315) 374-0291



MRS. MARY WARNER  
645 SHANKLE RD  
ENNIS, TX 75119

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

REVIEWED  
DEC 28 2022  
By See #

TCEQ OCC

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

27DEC '22 12:12

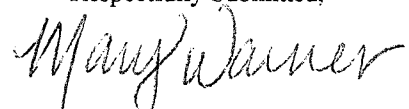
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Respectfully Submitted,



Mary Warner

(940) 923-9780

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

**CERTIFIED MAIL**



7022 1670 0002 2783 1082

M. WARDER  
WESSHAUER RD  
DUNNICK, TX 75119

RECEIVED  
DEC 27 2022

1082 000

27DEC122 1612

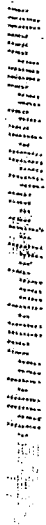
TOEQ MAIL CENTER  
Office of the Chief Clerk, MC 105

TCEQ

P.O. BOX 13087

AUSTIN, TX 78711-3087

787113087 Ed12



RDC 99



78711

U.S. POSTAGE PAID  
FCM LETTER  
KAUFMAN, TX  
75142  
DEC 21, 22  
AMOUNT

**\$7.85**

R2305E124105-20

## Vander Gold

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**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, December 20, 2022 9:58 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044  
**Attachments:** Shankle MUD Letter1.pdf

H

**From:** marysilver@gmail.com <marysilver@gmail.com>  
**Sent:** Tuesday, December 20, 2022 9:31 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** MRS Mary Warner

**EMAIL:** [marysilver@gmail.com](mailto:marysilver@gmail.com)

**COMPANY:**

**ADDRESS:** 645 SHANKLE RD  
ENNIS TX 75119-0107

**PHONE:** 9409239780

**FAX:**

**COMMENTS:** To whom it may concern: Please see the attachment which contains my comments in regard to this permit. I am requesting a contested case hearing for petition D-08222022-044. Thank you

MRS. MARY WARNER  
645 SHANKLE RD  
ENNIS, TX 75119

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **645 SHANKLE RD, ENNIS, TX 75119**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- **Water Runoff:** The drainage plan is inadequate as it does not take into consideration any drainage/water runoff to the East and South; which is where my property is located. This also would pertain to flooding. We are in a flood plain and this plan lacks an extensive drainage plan inclusive of the entire path through Ellis County.
- **Smells/Odor from sewer treatment plant:** Again, the plans submitted by the petitioner are inadequate and lacking for the proposed development and the developments proposed to be added in the future. Having this sort of treatment plant in such close proximity to my property will certainly lower the value of our home and land. An Extensive Environmental Impact Study should be demanded regarding the effects of the excessive water generated by development and effects of crop contamination downstream.
- **Wildlife Impact:** The proposed development is and historically has been a nesting ground for wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. All species of duck, geese, and waterfowl are regularly seen on the property. The Developer has shown that he will remove and destroy this entire habitat. This habitat provides protection for wildlife from heat, drought, and heavy rain. An extensive wildlife impact study should be provided and demanded from the petitioner.
- **Livestock:** Our livestock that grazes on our land and drinks the water from our pond and creeks would be directly effected by the drainage and sewer treatment plant.
- **Trash/Debris/Clutter:** Developing property with such a high density of housing creates excessive amounts of trash, debris and clutter throughout the surrounding properties. The petitioner has not addressed the negative impact of excessive waste to surrounding properties and debris to the landfill.
- **Other Impacts:**
  - **Traffic:** The development will create congestion on all surrounding roads. 800 homes equal approximately 1600 additional cars every day.
  - **Schools:** The additional households will create an estimated 1040 students (2 elementary schools) for the Palmer ISD. This creates a huge burden on all property owners in Palmer ISD.
  - **Emergency Services:** The Garrett and Bristol fire departments will not be equipped to handle the additional services, manpower and equipment needed for adequate fire protection for the additional developments. Even if the Petitioner donates land for a new Fire Station (which he hasn't) additional equipment and manpower will be needed. This cost will be passed on to the current residents in the towns and Emergency Services Districts.
  - **Safety/Crime:** The additional low-cost housing developments create additional threats of theft, vandalism, and additional crimes that will create additional burdens to the Ellis County sheriff's Dept. This is a major concern of protection for all residents of Ellis County.

Respectfully Submitted,

Mary Warner  
(940) 923-9780

Joe Weatherford  
6004 Woodmeadow Drive  
Arlington, Texas 76016

December 21, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

**REVIEWED**

**DEC 28 2022**

By Gau H

TCEQ 000

27DEC '22 15:00

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 8466 FM879, Palmer, Texas 75152

The creation of this Utility District uniquely and adversely affects me in the following way(s):

A sewage plant privately owned is a disaster waiting to happen. Who covers cost of repairs if the plant fails and the owner goes bankrupt. Same with the water supply. East Garrett can not handle this project and private wells are not the answer. All utilities should be controlled and the responsibility of local municipalities. This is not possible for this project and cost could fall back on local tax payers.

Palmer can not handle this massive increase in school age children. Schools will have to be built at the cost of local tax payers. Palmer school tax is already excessive.

The roads between this project and Palmer can not handle the traffic level. FM867 will have to be widened to four lane. Local residents will have frontage acreage taken away. Traffic will increase. Crime will increase. Our country life will become city life. Property values will suffer.

There will be negative impact on wildlife, water runoff and flooding for all surrounding areas.

This project is just not conducive for the lifestyle we currently enjoy and want to maintain. Please do not approve this development.

Respectfully submitted,



Joe Weatherford

817-832-0922

JOE WETTERHEAD  
6004 WOODMEADOW DR  
ARLINGTON, TEXAS  
76016

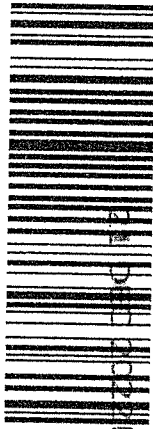
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NORTH TEXAS TX 750

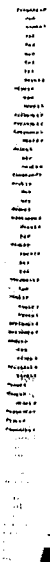


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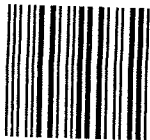
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Office of the Chief Clerk  
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Austin, TEXAS  
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78711-308787



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TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 29 AM 10:50

CHIEF CLERKS OFFICE

317 Shankle Road  
Ennis, TX 75119

FILED 000

December 21, 2022

Office of the Chief Clerk, MC 105

TCEQ

P.O. Box 13087

Austin, TX 78711-3087

RE: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

REVIEWED

JAN 03 2023

By Gae H

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 317 Shankle Road, Ennis, TX 75119.

The creation of this Utility District uniquely and adversely affects me in the following ways:

- **Water runoff-** This is a concern for all surrounding property owners in the area due to an inadequate drainage plan that was submitted by the Petitioner. This is a big concern for my property. I am located South of this District that is trying to be created. The apparent plan is to drain into the creek across Shankle Road from the property. With being said, the runoff will dump into Four Mile Creek. The creek runs south of the property parallel to Shankle Road. Four Mile Creek runs on my property on the south end and is connected to Crisp Cemetery. This is a big concern that will affect the land and surrounding areas. How much drainage/water runoff will affect the area? This is 100% concern to the surrounding area that was not considered in this project.
- **Flooding/drainage-** When it rains it floods. My property is the drain for all Shankle Road. All the water from flooding dumps into FOUR MILE CREEK and drains downstream under FM 660 and travels further down all the way to Telico and then the Trinity River. As you can see, FOUR MILE CREEK goes through my property. When there is any type of flooding this plays a huge factor to my property. I am not happy that the plan is to dump water and the sewer treatment plant into this creek. Overall, this will be a big concern for my property and my family. With being said, all the dumping from this District, on top of heavy rain becomes a big concern. The flooding of both combined will create a problem for my property. Heavy rain already plays a big factor in destroying the environment with wash out. Now, you have sewer, odors, chemicals come into play that will affect my property long term. The flooding already affects the process of me

cutting of (hay). I process hay for myself and other farmers in the area. Some flooding already takes away some of the hay process. Now, with the adding of sewage being dumped into the creeks, on top of flooding it will affect one quarter to half of my land. My land is considered majority a flood zone, so with the dumping up stream it will start to affect the grasses, trees and outcome of keeping my property contained. Not only, does this affect my property, but my property is next to the Crisp cemetery where this creek flows. On top of the drainage of the sewage plant and flooding water it will destroy the cemetery as well. The Cemetery is made for people to rest in peace. They're not made to be soaked in sewage. An extensive drainage plan should be demanded for the entire drainage/flooding inclusive of the entire path through Ellis County.

- **Smells/Odor due to Sewer treatment plant-** There are so many chemicals that come into play in controlling a sewer treatment plant. No matter what you do or how you do it, the smell is still going to be there. The smell from treatment plants can play a big factor for people living in the area. **Respiratory symptoms, fatigue, and headache** are main concerns for individuals living to close a sewer treatment plant. Not only does it play a major factor on humans, but animals as well. It will affect all the livestock in the area, including my property. Including my cattle on top of the surrounding properties that have livestock will be affected. Plans submitted by the Petitioner are inadequate for the proposed development and additional developments the developer may add to the District. An extensive environmental impact study should be demanded regarding the effects of the excessive water generated by development and effects of crop contamination downstream.
- **Trash/Debris-** Trash becomes a big concern for the area as well. With this amount of volume of people in one area creates an excessive amount of trash and clutter throughout surrounding properties. The Petitioner has not addressed the negative impact of how it will affect the area. It can also affect the creeks, livestock, smell/odor and the local landfill. There needs to be a study to see how the control of trash will be contained in this District.
- **Traffic-** The traffic concern to this much volume will be a concern to the area. The roads can't handle the current traffic that is controlled everyday now. The roads need to be repaired right now and still hasn't been done yet. These county roads aren't made for that many cars every day. Is the county going to keep an eye on the roads and keep them repaired daily for the commute for the everyday driver.
- **Emergency Services-** The Garrett and Bristol fire departments will not be equipped to handle the additional services, manpower and equipment needed for adequate fire protection for the additional developments. It already takes a good amount of time to have the services of Sheriffs Department to show up. Just with the experience of dealing with theft in the area. We do have the fire departments in the area, but a lot of individuals



are volunteer. We barely have enough individuals to cover the area now. Even if the Petitioner donates land for a new Fire Station (which he hasn't) additional equipment and manpower will be needed. Then current residents will have to pay for the additional cost.

- **Safety/crime-** The adding of low-cost housing developments usually creates additional threats of theft, vandalism, and additional crimes that will create more burdens for the Ellis County Sheriffs Dept. This becomes an issue for getting more security for local neighbors. It creates a threat for neighbors and surrounding landowners with worrying about your property while you aren't home. The Petitioner is trying to bring a District with as many people as possible to a rural area. This doesn't look good for the county and state.

Overall, the decision of this MUD District is something that needs to be overlooked well. All the details are not there and is going to play a big factor across the board for myself and the surrounding area. My property is one of the main concerns for this District. Everything that is drained from this property will be dumped into my backyard. The Petitioner is not taking it into consideration how much is going to be affected in the area. In this circumstance, if the county, state, congressmen or whoever has the final say so let's this stand, you have no care for the citizens that will be affected in the outcome. Take in consideration the amount of people in one area, especially a rural area. The amount of waste that will be dumped and damaging the environment because it will not be controlled. The affects on individuals due to trash/sewage smell. The affect on all livestock, wildlife in the area, the habitat for the animals. That also includes the threat to agricultural concerns for farmers who harvest hay for their livestock (myself included). The safety that is going to be provided for the current citizens in the area with the chances of crime going up. What is this Petitioner going to do with this scenario once it's out of control. Schools are going to be more crowded, knowing how overcrowded they already are. Schools are already shorthanded as it is, and nothing is being done to help them out. Once this project is started this Petitioner isn't going to be there forever. He is just getting started and then he will walk away. What are you going to do to keep this from happening? What will be your next step? Now that it becomes a concern for me, my family and my property. I will do everything in my power to stop this from going forward. I hope you take this letter into consideration and take a good look into what is trying to be done in this area. This Shankle Road MUD is not the right time and place for Shankle Road residents. This really needs to be investigated fully and looked over. Thank you for your time and have a blessed day!

Respectively submitted,

Todd Westbrook

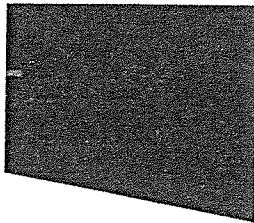
972-351-3259

**CERTIFIED MAIL**

From: Ted Westbrook  
317 Shankle Rd.  
Ennis, TX 75119



7022 2410 0002 3470 9128  
7022 2410 0002 3470 9128



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PS Form 3800, April 2015 PSN 7530-02-000-9007 See Reverse for Instructions

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## Ellie Guerra

---

**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, January 3, 2023 2:11 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044  
**Attachments:** Jill's Letter.docx

H

**From:** jillwinters06@yahoo.com <jillwinters06@yahoo.com>  
**Sent:** Tuesday, January 3, 2023 1:42 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Jill Winters

**EMAIL:** [jillwinters06@yahoo.com](mailto:jillwinters06@yahoo.com)

**COMPANY:**

**ADDRESS:** 109 HUMMINGBIRD LN  
OVILLA TX 75154-1647

**PHONE:** 9402550040

**FAX:**

**COMMENTS:** I REQUEST DENIAL OF THE CREATION OF SHANKLE ROAD MUD. I request denial of the creation of Shankle Road MUD and request a contested case hearing. I have several objections to the Shankle Road MUD and this new housing development. 1. The physical impact that it will have on the surrounding farms and homes which have existed for generations. The increase in waste management and runoff water would cause erosion and flooding to the creeks,

which will in turn affect the roads and pastures in which it flows. There is risk of water contamination, which will also affect the livelihood of cattle along the creeks. In many cases, the cattle affected by this are the livelihood of farmers and their families. 2. Construction of a wastewater treatment plant can cause odors and airborne contaminants which can impact the health and well being of those residents around the treatment plant. Many of those residents have lived there their entire lives, which in some cases is close to 100 years. Is this wastewater treatment plant in the best interest of those residents? No. This would have a negative impact on many generations of Ellis County residents. These are people who have devoted their lives to that land and their legacy, and you want to ruin what they have built for future generational farmers. 3. Another impact on this area is waste and trash. I have personally lived in an area that this same thing happened. After the houses were built and the residents moved in, we started seeing their trash in our pastures. They didn't care that our livestock could possibly ingest this trash and possibly kill them, which would have had direct financial impact on our family. This is a real possibility with Shankle Road MUD and this housing development. 4. When you clear that much land to build those houses, you are not just clearing the land, you are displacing wildlife. This wildlife includes jack rabbits, which I had never seen before until visiting the farm that is adjacent to the land in jeopardy. When this type of animal is displaced, where do the predatory animals go for their food? They go to the nearest farm where household pets and livestock can be impacted. Those predatory animals can also carry disease, which will affect those farms. Environmental studies should be done and published for the residents. 5. Emergency response is another issue. Shankle Road was not constructed to handle the increase in traffic that would occur. With the increase in people on this road, more cars can be expected. With more traffic, more accidents can be expected. This area does not have the emergency response team to handle more accidents, more emergency and more crime. Also, what about houses catching fire? What happens when a house catches fire and the volunteer fire department is unable to get there before another house catches fire? What happens if it is the dry season in the summer and that fire travels to the farm land and the cattle? There is also the possibility of kids deciding they are going to hop the fence and have a camp fire in the farmer's pasture. How quickly would the volunteer fire department be able to get there and be able to contain a grass fire? The very grass that those cows graze on and that is if that grass fire doesn't kill the cattle first and then consume the farmer's home. Again, we are talking about the livelihood of at least one farmer, possibly more, because kids wanted to have a little fun on a Saturday night. This list is not an all-inclusive listing of all of my concerns regarding the Shankle Road MUD and the new housing development, but it is a good start.

January 3, 2023

TCEQ Request

To whom it may concern:

I request denial of the creation of Shankle Road MUD and request a contested case hearing. I have several objections to the Shankle Road MUD and this new housing development.

1. The physical impact that it will have on the surrounding farms and homes which have existed for generations. The increase in waste management and runoff water would cause erosion and flooding to the creeks, which will in turn affect the roads and pastures in which it flows. There is risk of water contamination, which will also affect the livelihood of cattle along the creeks. In many cases, the cattle affected by this are the livelihood of farmers and their families.
2. Construction of a wastewater treatment plant can cause odors and airborne contaminants which can impact the health and well being of those residents around the treatment plant. Many of those residents have lived there their entire lives, which in some cases is close to 100 years. Is this wastewater treatment plant in the best interest of those residents? No. This would have a negative impact on many generations of Ellis County residents. These are people who have devoted their lives to that land and their legacy, and you want to ruin what they have built for future generational farmers.
3. Another impact on this area is waste and trash. I have personally lived in an area that this same thing happened. After the houses were built and the residents moved in, we started seeing their trash in our pastures. They didn't care that our livestock could possibly ingest this trash and possibly kill them, which would have had direct financial impact on our family. This is a real possibility with Shankle Road MUD and this housing development.
4. When you clear that much land to build those houses, you are not just clearing the land, you are displacing wildlife. This wildlife includes jack rabbits, which I had never seen before until visiting the farm that is adjacent to the land in jeopardy. When this type of animal is displaced, where do the predatory animals go for their food? They go to the nearest farm where household pets and livestock can be impacted. Those predatory animals can also carry disease, which will affect those farms. Environmental studies should be done and published for the residents.
5. Emergency response is another issue. Shankle Road was not constructed to handle the increase in traffic that would occur. With the increase in people on this road, more cars can be expected. With more traffic, more accidents can be expected. This area does not have the emergency response team to handle more accidents, more emergency and more crime. Also, what about houses catching fire? What happens when a house catches fire and the volunteer fire department is unable to get there before another house catches fire? What happens if it is the dry season in the summer and that fire travels to the farm land and the cattle? There is also the possibility of kids deciding they are going to hop the fence and have a camp fire in the farmer's pasture. How quickly would the volunteer fire department be able to get there and be able to contain a grass fire? The very grass that those cows graze on and that is if that grass fire doesn't kill the cattle first and then consume the farmer's home. Again, we are talking about the livelihood of at least one farmer, possibly more, because kids wanted to have a little fun on a Saturday night.

This list is not an all-inclusive listing of all of my concerns regarding the Shankle Road MUD and the new housing development, but it is a good start.

Sincerely,

Jill A. Winters

A concerned Ellis County resident.

Jillwinters06@yahoo.com

LRM PTM Partners, LP  
2525 Knight St., Suite 425  
Dallas, TX 75219

January 5, 2023

REVIEWED

JAN 11 2023

By GCW H

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 3 17 FM 879 R PENA Q-H (78 ACRES), Palmer, TX 75152

The creation of this Utility District uniquely and adversely affects our property in the following way(s):

The installation of the Shankle Road Municipal Utility District of Ellis County and its proximity to our property will be detrimental to our property and the properties in the direct vicinity. The environmental impact of sewage treatment and wastewater that close to our property will greatly impact our property and its current and future value. The density of the proposed project will have major negative impacts to the infrastructure and environment of the area which will decrease the value of property.

Sincerely,

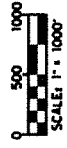
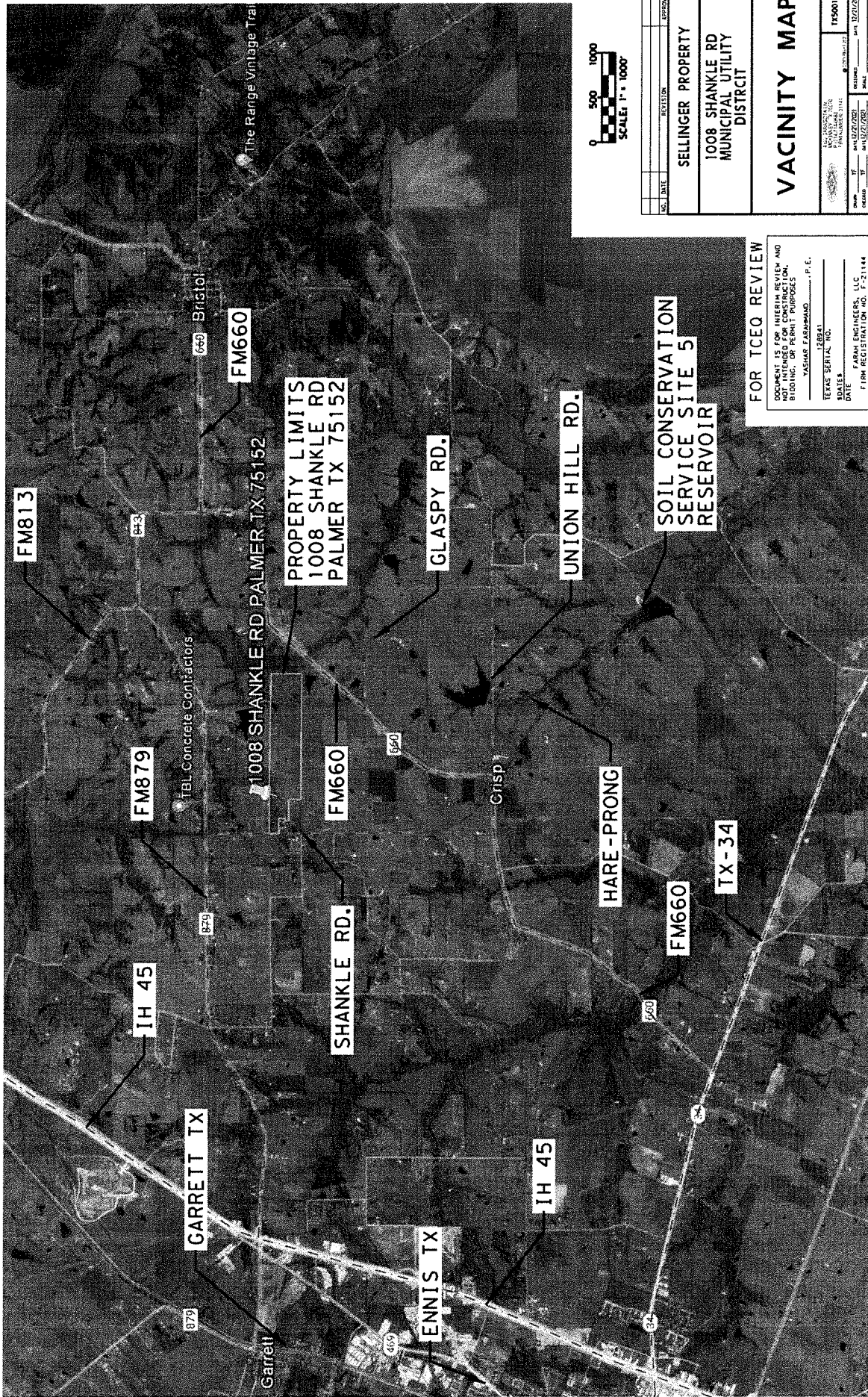


LRM-PTM Partners, LP  
By: LRM-PTM Enterprises, LLC,  
its general partner  
By: Gary D. Witherspoon, President  
214-751-8183 – office  
214-751-8250 – fax

TCEQ OCC

9 JAN '23 10:46

Exhibit "A"



NO.	DATE	REVISION	BY
SELLINGER PROPERTY 1008 SHANKLE RD MUNICIPAL UTILITY DISTRICT			

## VACINITY MAP

CONTRACT NO.	145001-03	SHEET	1 OF 1
DATE	11/27/2002	BY	11/27/2002
PROJECT	1008 SHANKLE RD PALMER TX 75152		
DESIGNER	FARAH ENGINEERS, LLC		
REGISTERED	FIRM REGISTRATION NO. F-21144		

**FOR TCEQ REVIEW**  
 THIS DOCUMENT IS FOR INTERIM REVIEW AND NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.  
 YASAR FARAHMUND, P.E.  
 TEXAS SERIAL NO. 128941  
 DATE 11/27/2002  
 FIRM REGISTRATION NO. F-21144

**SOIL CONSERVATION SERVICE SITE 5 RESERVOIR**



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-08222022-044

**PETITION.** Steve Selinger, (Petitioner) filed a petition for creation of Shankle Road Municipal Utility District of Ellis County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 and Article III, §52 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 181.5664 acres located within Ellis County, Texas; and (4) none of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city.

The territory to be included in the proposed District is depicted in the vicinity map designated as Exhibit "A," which is attached to this document.

The petition further states that the proposed District will: (1) purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) collect, transport, process, dispose of and control domestic, and commercial wastes; (3) gather, conduct, divert, abate, amend, and control local storm water or other local harmful excesses of water in the proposed District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and (5) purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with all of the purposes for which the proposed District is created. Additionally, the proposed District will be granted road powers.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$21,490,000 (\$12,925,000 for water, wastewater, and drainage and \$8,565,000 for roads).

**CONTESTED CASE HEARING.** The TCEQ may grant a contested case hearing on this petition if a written hearing request is filed within 30 days after the newspaper publication of this notice.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioners and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

**INFORMATION.** Written hearing requests should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC-103, at the same address. General information regarding TCEQ can be found at our web site <http://www.tceq.texas.gov/>.

Issued: November 23, 2022

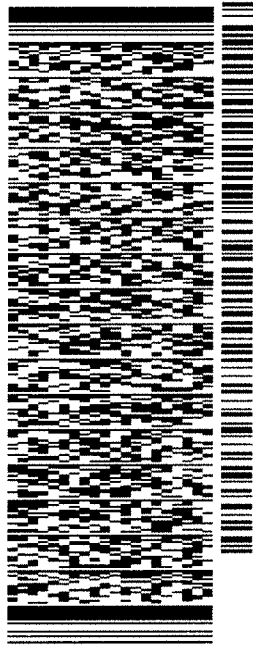
ORIGIN ID:KIPA (214) 751-8160  
GARY WITHERSPOON  
LRM PTM PARTNERS LP  
2525 KNIGHT ST.  
SUITE 425  
DALLAS, TX 75219  
UNITED STATES US

SHIP DATE: 06 JAN 23  
ACT/WGT: 0.50 LB  
CAD: 105526147/MET4530

BILL SENDER

TO OFFICE OF THE CHIEF CLERK, MC 105  
TCEQ  
12100 PARK 35 CIRCLE

AUSTIN TX 78753  
(214) 751-8200  
REF:LRM PTM PARTNERS - PALMER LAND  
DEPT:  
PO



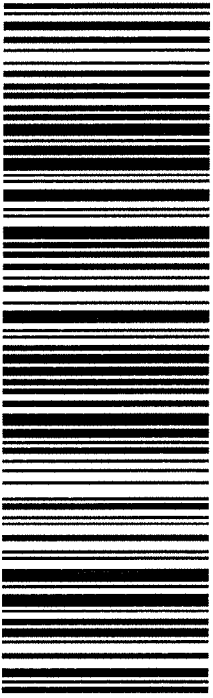
MON - 09 JAN 10:30A

PRIORITY OVERNIGHT

TRK# 7709 6733 9384  
0201

**XA MMRA**

78753  
TX-US AUS



581J2/D297/FE2D

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**Warning:** Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number. Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

Danny Zapletal  
6635 FM 879  
Ennis, TX 75119

December 19, 2022

Mailed via Certified Letter

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk:

CHIEF CLERKS OFFICE

2022 DEC 22 PM 2:37

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

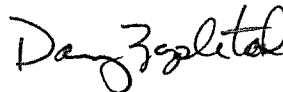
This letter is being sent to request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County, in Texas.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **6635 FM 879, Ennis Texas 75119**.

The creation of this Utility District uniquely and adversely affects me in the following way(s):

- **Odor concerns**
  - **The impact it will have on the wildlife**
- **Volunteer Emergency Services are not equipped to handle the population**
  - **Drilling wells will deplete the natural spring to my property**

Sincerely,



Danny Zapletal

972-875-2036

REVIEWED

DEC 23 2022

BY 

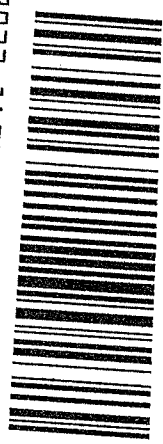
H

Danny Zapletal  
6635 FM 879  
Ennis, TX 75119

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 DEC 22 PM 2:25

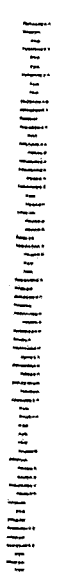
CHIEF CLERK'S OFFICE



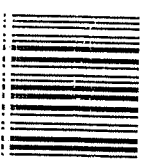
7022 1670 0001 5390 8513

Office of the Chief, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

78711-3087



RDC 99



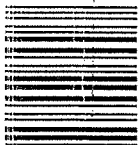
78711

U.S. POSTAGE PAID  
FCM LETTER  
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75119  
DEC 20, 22  
AMOUNT  
**\$7.85**  
R2304M115704-06



Yvonne Zapletal  
6635 Fm 879  
Ennis, TX 75119

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

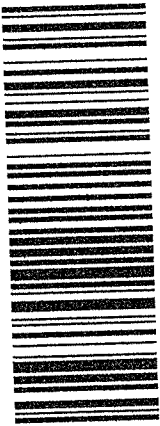


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EQUILITARIAN  
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75119  
DEC 20 '22  
AMOUNT  
**\$7.85**  
R2304M115704-06

RDC 99

78711

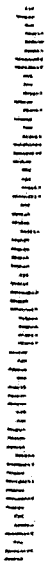
PLEASE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
**CERTIFIED MAIL**



7022 1670 0001 5390 8506

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

78711-3087



## Christina Bourque

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**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, January 10, 2023 9:53 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044

H

**From:** Dlzett@gmail.com <Dlzett@gmail.com>  
**Sent:** Monday, January 9, 2023 6:34 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Diana Zett

**EMAIL:** [Dlzett@gmail.com](mailto:Dlzett@gmail.com)

**COMPANY:**

**ADDRESS:** 1820 NECK RD  
PALMER TX 75152-4321

**PHONE:** 9729357004

**FAX:**

**COMMENTS:** Ref: Petition D-8222022-044, petitioned by Steve Selinger Attn: Chief Clerk This letter is a request for a contested case hearing for Petition D-08222022-044 for the creation of Shankle Road Municipal Utility District of Ellis County. I am an affected person entitled to a contested case hearing on the issues I have outlined below in this hearing request. The creation of this utility District uniquely and adversely affects my family in the following ways: 1. Due to this MUD, there will be a significant increase in traffic and huge burden upon our Palmer ISD system, as well as, a grave tax



burden on the citizens of the Palmer area. 2. This MUD will also require additional fire services and emergency response, as well as, safety/crime for Ellis County Sherriff Dept. 3. This is a highly uncharacteristic very high-density development in our rural area where it challenges the infrastructure and peacefulness of our rural way of life. It also impacts our quality of life because of the fact that it is so unusual in this area. The denial of the creation of Shankle Road MUD is strongly requested.

Jacob Zhanel  
Ennis, TX 75119

December 19, 2022

Office of the Chief Clerk, MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

DEC 20 2022  
Gcu H

TCEQ 000

27DEC '22 15:24

In Re: Petition D-08222022-044, petitioned by Steve Selinger

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 1160 Shankle RD Ennis, TX 75119

My driveway is about 200 yards from this property's location.

The creation of this Utility District uniquely and adversely affects me in multiple ways.

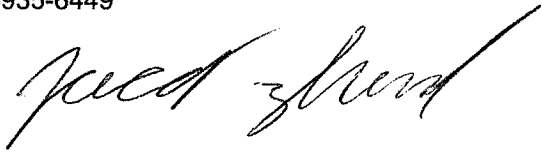
- Property value depreciation
- Large increase in traffic
  - There needs to be a traffic impact study
- Nuisance odor control
- Increase in crime due the large population
- Schools
- Police, Ambulance and Fire Department, none are large or close enough to support
- **Environmental Impact from Sewer Drainage.** The affected property where this would drain into struggles enough during a heavy rain. So if you add storm water to an already saturated creek and draw it'll create flood hazards not yet seen. There's cattle and other animals being raised all down the projected path. If someone says that it's drinkable, I'd like to see them drink a glass of it. If the cattle start getting sick, having birth defects and dying from all the chemicals and pollution, who will be responsible? It'll start a long list of lawsuits.
- Proper management of the MUD
  - There's no guarantee that after the developer gets paid and walks away that it'll operate properly and if it doesn't it's already too late.
- Sanitation Service. No private trash service is large enough to take on that many homes. Even if there were, it'll still create pollution from trash being dumped up and down Co roads, either full trash bags, large household items and fast food bags.
- There's a gas line that runs through this property, that alone has many concerns and hazards.

- I've looked over the WWTP report that is public information and it has some unchecked boxes that are of concern.
- I understand that TX is growing but a development like this is unorthodox for the location. The infrastructure isn't there and to create it will negatively affect many in multiple ways.
- I didn't choose to live next to a sewer plant, so it's not right forcing someone to do so.

Respectively submitted,

*Jacob Zhanel*

972-935-6449



County and city regulations are  
put in place for a reason, a MUD  
should not be allowed to come  
in and bypass those regulations





## Vander Gold

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, December 19, 2022 2:47 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D-08222022-044

H

**From:** jzhanel79@gmail.com <jzhanel79@gmail.com>  
**Sent:** Monday, December 19, 2022 1:21 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D-08222022-044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D-08222022-044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Jacob Zhanel

**EMAIL:** [jzhanel79@gmail.com](mailto:jzhanel79@gmail.com)

**COMPANY:**

**ADDRESS:** 1160 SHANKLE RD  
ENNIS TX 75119-0116

**PHONE:** 9729356449

**FAX:**

**COMMENTS:** Attn: Chief Clerk I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility District of Ellis County. I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 1160 Shankle RD Ennis, TX 75119 My driveway is about 200 yards from this property's location. The creation of this Utility District uniquely and adversely affects me in multiple ways. Property value depreciation Large increase in traffic Nuisance odor control

Increase in crime due the large population Schools Police, Ambulance and Fire Department, none are large or close enough to support Sewage drainage. The affected property where this would drain into struggles enough during a heavy rain. So if you add storm water to an already saturated creek and draw it'll create flood hazards not yet seen. There's cattle and other animals being raised all down the projected path. So even with the sewer plant properly running it's not drinkable, if someone says it is I'd like to see them drink a glass of it. If the cattle start getting sick, having birth defects and dying from all the chemicals, who will be responsible? It'll start a long list of lawsuits. Proper management of the MUD There's no guarantee that after the developer gets paid and walks away that it'll operate properly and if it doesn't it's already too late. Sanitation Service. No private trash service is large enough to take on that many homes. Even if there were, it'll still create pollution from trash being dumped up and down Co roads, either full trash bags, large household items and fast food bags. I've looked over the WWTP report that is public information and it has some unchecked boxes that are of concern. I understand that TX is growing but development like this is unorthodox for the location. The infrastructure isn't there and to create it will affect many. Respectively submitted, Jacob Zhanel 972-935-6449

December 20, 2022

Office of the Chief Clerk, MC-105, TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

RE: TCEQ Internal Control Number - Petition D-08222022-044, Petitioned by Stephen Selinger

We are formally requesting a contested case hearing for the above referenced petition.

Our home is located at 7946 FM Rd 879, Palmer, TX 75152; 2 Shankle Estates- 10 Acres, Property ID 198321; Geographic 00.8260.000.002.00.110.

We purchased our home and property back in 1992 specifically because it was rural with surrounding attributes that were important to us. We have learned that there is the possibility of a Shankle Road Waste Water Treatment Plant and development of hundreds of low-cost homes behind our property. This is not a suitable area for such a development.

We are extremely concerned about the impact of a water treatment plant and the smells and odors it would create. We are demanding an **EXTENSIVE ENVIRONMENTAL IMPACT STUDY** regarding the effects of the excessive water generated by development and effects of crop contamination downstream.

Furthermore, we are very concerned as a property owner as an inadequate drainage plan was submitted by the Petitioner. It did not consider any drainage/water runoff to the East and South affected landowners.

We also worry about the Wildlife Impact. The Developer has shown that he will remove and destroy the entire habitat of the proposed development. This habitat provides protection for wildlife from heat, drought, and heavy rain. This area is and historically has been a nesting ground for wildlife due to the extensive number of trees, brush cover and ponds used by the wildlife in the area. The trees and natural vegetation are also a roosting area for migratory and local bird populations. All species of duck, geese, and waterfowl are regularly seen on the property. **AN EXTENSIVE WILDLIFE IMPACT STUDY SHOULD BE PROVIDED AND DEMANDED FROM THE PETITIONER.**

This development will also forcibly relocate predatory animals such as coyotes to surrounding properties burdening us and our neighbors with additional protection necessary for our chickens, ducks, geese, birds, pets and livestock.

Another huge concern is the developing of this property with such a high density of low-cost housing creates excessive amounts of trash, debris and clutter throughout the surrounding properties. The Petitioner has not addressed the negative impact of excessive waste to surrounding properties and debris to the landfill.

We are also very worried about the impact to our safety and an increase in crime with the corresponding additional burden to the Ellis County Sheriff's Department and to Emergency Services.

Also, our road and specifically Shankle Road behind us, are not equipped for a high volume of additional traffic and all the construction vehicles that would be coming in for such a huge development.

There are so many more concerns such as the negative impact and burden to our small local schools and this proposed development makes no sense in our area. It will create so many negative effects and we are sincerely and respectfully requesting an impartial and fair review and hearing for our strong opposition to the proposed development by the Petitioner Stephen Selinger.

*Randall T. Zink*  
*Cheryl L. Zink*  
Randall T and Cheryl L Zink  
7946 FM Rd 879  
Palmer, TX 75152  
Ph: 214-693-4210  
Fax: 972-825-5129  
zinkhouse@aol.com

REVIEWED

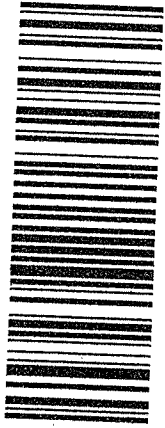
DEC 23 2022

*[Signature]*

A

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2022 DEC 22 PM 2:32  
CHIEF CLERKS OFFICE

Randall & Cheryl Zink  
7946 FM 879  
Palmer, TX 751562



7022 1670 0001 5390 7257

TEXAS  
COMMISSION ON ENVIRONMENTAL  
QUALITY

2002 DEC 22 PM 2:26

CHIEF CLERK'S OFFICE

RDC 99

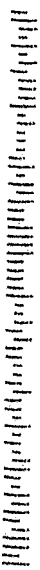


78711

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ENNS, TX  
75119  
DEC 20, 22  
AMOUNT  
**\$7.85**  
R2304M113118-12

Office of the Chief Clerk, MC-105, TCEO  
P.O. Box 13087  
Austin, TX 78711-3087

78711-3087





## Vander Gold

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, December 21, 2022 1:24 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis  
**Subject:** FW: Public comment on Permit Number D08222022044

**From:** zinkhouse@aol.com <zinkhouse@aol.com>  
**Sent:** Wednesday, December 21, 2022 12:24 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number D08222022044

**REGULATED ENTY NAME** SHANKLE ROAD MUD OF ELLIS COUNTY

**RN NUMBER:** RN111558029

**PERMIT NUMBER:** D08222022044

**DOCKET NUMBER:**

**COUNTY:** ELLIS

**PRINCIPAL NAME:** SHANKLE ROAD MUD OF ELLIS COUNTY

**CN NUMBER:** CN606052447

**FROM**

**NAME:** Cheryl L Zink

**EMAIL:** [zinkhouse@aol.com](mailto:zinkhouse@aol.com)

**COMPANY:**

**ADDRESS:** 7946 FM 879  
PALMER TX 75152-9118

**PHONE:** 2146934210

**FAX:** 9728255129

**COMMENTS:** As my husband and I will be adversely affected by the proposed petition D-08222022-044 I request denial of the creation of Shankle Road MUD. The proposed area is directly behind our property. Shankle Road is barely big enough to fit two cars at one time, much less bringing in all the construction equipment necessary. All our neighbors and the families with property on Shankle Road do not deserve to have their lives adversely affected either. My Road FM 879 is also already too busy and dangerous. We are located on a road with single family homes, each on approximately 10

acres. I worry about so many things in this ill planned idea of Stephen Selingers. Worry about Wildlife, Agriculture, Increased Crime, Increased Traffic, Burden to our Palmer ISD Schools, Emergency Services and Sheriff's Department. Worry about the Noise and Odors and Trash. Worry about hundreds of cheaply made low-cost housing put up one on top of the other behind our property and disrupting so many animals, people and lifestyles all for the sake of another apparent greedy developer who did not even properly inform us as landowners and has provided incorrect information on permits. This whole scheme of his must be stopped for its proposed location is all wrong and the way he has initiated the process is all wrong as well. Thank you for your consideration.

P O Box 2058  
Lampasas TX 76550

Office of the Chief Clerk, MC 105

TCEQ

P.O. Box 13087

Austin, TX 78711-3087

RECEIVED

DEC 23 2022

*GCW* #

TCEQ OCC

28DEC '22 9:52

Attn: Chief Clerk

I request a contested case hearing for Petition D-08222022-044, petitioned by Steve Selinger, for the creation of Shankle Road Municipal Utility of Ellis County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 7990 FM 660.

The creation of this Utility District uniquely and adversely affects me in the following ways: One of my main concerns is the water runoff, how it will impact the neighboring land owners, farms with cattle & the wildlife, Air Quality from the Sewage treatment Plant. Also, am having additional concerns about how it will affect the schools in the Palmer school district, all the additional traffic, and etc.

Respectively submitted,

Melissa Zmolik

Mark Zmolik

*Melissa Zmolik*

*Mark Zmolik*

972-921-8236

Melissa Zmolek  
P O Box 2055  
Hempden, TX 76550

NO  
ZZ



RDC 99

78711

U.S. POSTAGE PAID  
FCM LETTER  
ENNIS, TX  
75119  
DEC 20, 22  
AMOUNT

**\$7.85**

R2304M11311B-12

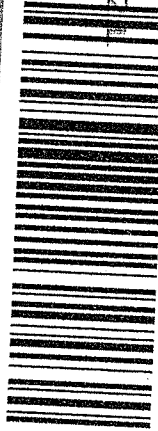
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DEC 28 2022

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Office of the Chief Clerk MC105  
TCEO

PLACES TICKET AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS FOR MAIL DELIVERY  
**CERTIFIED MAIL**



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P.O. Box 13087

20 DEC 2022 PM 2

ENNIS TEXAS TX 75119-3087



TCEO 000

28DEC '22 9:52