

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality
Office of the Chief Clerk (MC-105)
P.O. Box 13087
Austin, Texas 78711-3087

RE: IN THE MATTER OF THE PETITION FOR CREATION OF BRAHMAN
RANCH MUNICIPAL UTILITY DISTRICT OF ELLIS AND JOHNSON COUNTIES
TCEQ DOCKET NO. 2023-1406-DIS

PHILLIP FARRELL JR's. RESPONSE TO THE EXECUTIVE DIRECTOR'S RESPONSE FOR HEARING REQUEST

- 1) Mr. Farrell's interest is one protected by the law under which this application is being considered.
- 2) The map created by the ED used incorrect data. The map on its face states "represents only the approximate relative location of property boundaries". This map used the postal delivery location/911 address. This distance calculation is incorrect. According to the Central Appraisal District of Ellis County, my property is in the 1 mile radius that is depicted on the ED's map. There are no distance restrictions or other limitations imposed by law on my property, either by state or federal law.
- 3) More than a reasonable relationship exists between my concerns and the proposed districts regulated activities. My concerns regarding water quality, effects on human health and safety, and runoff and the others not directly addressed by the ED, are directly related to the proposed district and will have an unreasonable effect on land elevation, subsidence, groundwater levels, natural run-off rates, discharge, and water quality.
- 4) The proposed district will impact the use and enjoyment of my natural resources.
- 5) Both Boggy Branch and Armstrong Creek flow directly to and across my property. My property being in close proximity to the proposed District does demonstrate how I would be affected by the proposed district in a manner different from a member of the general public.

Incorrect data regarding the distance of our property to the proposed district was used by the ED in making their recommendations. The ED's recommendation was based solely on this Map and incorrect data.

Conclusion:

For the reasons set forth above, Phillip Farrell Jr. respectfully request the Commission find that Mr. Farrell qualify as an affected person, grant his hearing request, and refer the matter to SOAH for a contested case hearing.

Respectfully submitted,

Phillip Farrell Jr.

Property Address:

1308 Ozro Rd.

Venus, Texas 76084

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PHILLIP FARRELL JR's. RESPONSE TO THE OFFICE OF PUBLIC INTEREST COUNSEL'S RESPONSE TO
REQUESTS FOR HEARING

- 1) Mr. Farrell's interest is one protected by the law under which this application is being considered.
- 2) OPIC used a map created by the ED. The map on its face states "represents only the approximate relative location of property boundaries". This map used the postal delivery location/911 address. This distance calculation is incorrect. According to the Central Appraisal District of Ellis County, my property is in the 1 mile radius that is depicted on the ED's map. There are no distance restrictions or other limitations imposed by law on my property, either by state or federal law.
- 3) More than a reasonable relationship exists between my concerns and the proposed districts regulated activities. My concerns regarding water quality, effects on human health and safety, and runoff and the others not directly addressed by OPIC, are directly related to the proposed district and will have an unreasonable effect on land elevation, subsidence, groundwater levels, natural run-off rates, discharge, and water quality.
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