



February 26, 2024

SBCA reply to responses from TCEQ's Executive Director and Office of Public Interest Counsel on a petition to create the Hays Common Municipal Utility District, TCEQ Docket No. 2023-1588-DIS

To:

Laurie Gharis, Chief Clerk
Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality (TCEQ)
PO Box 13087
Austin, TX 78711-3087

Attention:

Kayla Murray – Staff Attorney, Environmental Law Division
Josiah Mercer – Assistant Public Interest Counsel Counsel
Pranjal M. Mehta – Assistant Public Interest Counsel Counsel

Save Barton Creek Association (SBCA) submitted a letter to TCEQ on September 25, 2023, in which we requested that the commission hold a contested case hearing on a petition to create the Hays Common Municipal Utility District, TCEQ Docket No. 2023-1588-DIS. On February 12, 2024, TCEQ's Executive Director and Office of Public Interest Counsel both issued responses in which they recommended that SBCA's request for a contested case hearing should be denied, because we did not identify one or more members who have standing in their own right to request a hearing. SBCA did not do so because when we submitted our September 25 letter, TCEQ officials had not indicated which landowners might qualify for affected party status.

However, in their February 12 responses, both the Executive Director and OPIC provided a list of adjacent landowners that they recommended should be approved as affected persons by TCEQ's commissioners. Two of these landowners are members of SBCA:

Carol Pennington – member since 2022
1005 Bluebird Drive
Manchaca TX 78652

Jim Camp – member since 2020
3803 Cattleman Drive
Manchaca TX 78652

SBCA accordingly asks that our request for a contested case hearing be approved for the Hays Common MUD petition, Docket No. 2023-1588-DIS.

Submitted by:

Brian Zabcik – Advocacy Director, Save Barton Creek Association
brian@savebartoncreek.org

From: [Brian Zabcik](#)
To: [CHIEFCLK](#); [Kayla Murray](#); [Josiah Mercer](#); [Pranjal Mehta](#)
Cc: [Clark Hancock](#); [Lee Burton](#)
Subject: SBCA Reply for TCEQ Docket No. 2023-1588-DIS
Date: Monday, February 26, 2024 6:49:55 PM
Attachments: [SBCA Response for TCEQ Docket 2023 1588 DIS - Hays Common MUD - Submitted 02.26.24.pdf](#)

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Please see the attached reply from Save Barton Creek Association for TCEQ Docket No. 2023-1588-DIS, a petition to create the Hays Common Municipal Utility District.

BRIAN ZABCIK

Advocacy Director

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