

Request for a Contested Case Hearing

9MAR '23 9:37

TCEQ OCC

REVIEWED

MAR 09 2023

By Gu H

Will Fowler

1208 McKeithen Dr.
Alexandria, Louisiana 71303

318-452-5941

Appl. Name: City of Marble Falls

Permit #: WQ0016234001

9MAR '23 9:37

TCED OCC

Dear Chief Clerk,

Please hear our concerns regarding construction of a new wastewater treatment facility for the city of Marble Falls.

Our family sold the land to the city of Marble Falls and the Lower Colorado River Authority (LCRA) 30 years ago for irrigation purposes. Our family still owns the 372 acres on the entire southern border of the irrigation fields, and my aunt owns approximately 483 acres on the entire northern border of those fields. When we sold the land to the city and LCRA, it was agreed that the land was to be used for irrigation purposes only, and that no improvements of any kind were to be made at any time. This stipulation was a part of the original agreement, which I have a copy of. City officials have told me it never got recorded and therefore is irrelevant.

The proposed location of the new improvement is located adjoining Fowler property and clearly will adversely affect Fowler property values forever. This facility would completely ruin any plans for development on our property, as well as causing all sorts of ecological issues.

The current irrigation is already adversely affecting Fowler property as the creeks we swim in, (which are natural and spring fed), now run deep with affluent from runoff of over irrigation. We have areas of our property that now remain wet at all times, washed out roads, and a loss of land due to erosion in creek banks. These issues are permanent and cannot be rectified. That lost land can never be regained. There is an uncontrollable hog population that is wreaking havoc on all of our property and our wildlife due to the hundreds of acres of soggy bottom fields formed from the city's negligible over irrigation. They've created a perfect natural safe haven for this atrocious invasive species. These hogs have decimated our turkey population and are killing fawns by countless numbers. I have brought all of this up and spoken with several different city

managers, mayors, and city council members over the years just to be told it is our problem to deal with.

Currently, the city tried to force two new 30" pipelines across our property at a depth of 37' without our consent, and the city does not even have an easement for the pipeline that is currently on our property! That pipeline transports current effluent, and the new proposed lines would be transporting raw sewage, which is completely different. Our creeks and land have already suffered at the hands of the city, and I see many potential catastrophic outcomes from this proposal. There could be a leak of raw sewage 37' down in our property for 20 years before anyone would know of it, by which time it would have caused irreparable damage.

We strongly protest the construction of any improvements (as was promised to us during the original deal) adjacent to our property and ask to be advised on who could look into our problems with all of the current runoff issues causing damage to our property. We also ask that at the least, the city could consider moving the new proposed sewer plant site as far north against the bluff as possible in order to get it away from our front doorstep. There is plenty of far more suitable land for development both in that direction as well as east behind Walmart. We are the only party that could be harmed by this project, and they want to put it right on the property line. The current proposed site would ruin our property forever, and it has been protected by our family since 1852. The Shifflett Ranch is on the historical registry for 150 years of continuous ranching. It is both abhorrent and inconceivable that the City of Marble Falls be allowed to continue (and expand upon) their mistreatment of us as neighbors and part of Texas history.

Thank you for hearing our concerns,

Will Fowler III (Designated spokesman and contact for the Fowler Family),
Robert Fowler, Kym Fowler, Will Fowler IV, Lauren Fowler, Jared Fowler, and Ashlee Blunt

**I request a contested case
hearing.**

WILL FOWLER
1208 MCKEITHEN DR.
ALEXANDRIA, LA 71303

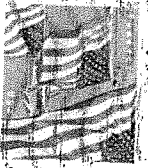
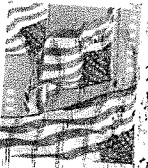
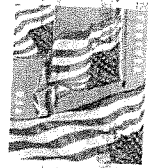
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TOPO MAIL CENTER

MAR 09 2023

RECEIVED

5-MAR-20



TEXAS COMMISSION on Environmental Quality
Office of The chief clerk, MC-105
P.O. Box 13087
Austin Texas 78711-3087

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Wednesday, March 8, 2023 8:29 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016234001
Attachments: Request for a Contested Case Hearing.docx

H

From: billydfowler24@gmail.com <billydfowler24@gmail.com>
Sent: Tuesday, March 7, 2023 7:30 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016234001

REGULATED ENTY NAME ONE WATER MARBLE FALLS

RN NUMBER: RN111581898

PERMIT NUMBER: WQ0016234001

DOCKET NUMBER:

COUNTY: BURNET

PRINCIPAL NAME: CITY OF MARBLE FALLS

CN NUMBER: CN600622906

FROM

NAME: MR Will Fowler, III

EMAIL: billydfowler24@gmail.com

COMPANY:

ADDRESS: 1208 MCKEITHEN DR
ALEXANDRIA LA 71303-9778

PHONE: 3184525941

FAX:

COMMENTS: Please see attached document. We request a contested case hearing.

Request for a Contested Case
Hearing

Will Fowler

1208 McKeithen Dr.
Alexandria, Louisiana 71303

318-452-5941

Appl. Name: City of Marble Falls

Permit #: WQ0016234001

Dear Chief Clerk,

Please hear our concerns regarding construction of a new wastewater treatment facility for the city of Marble Falls.

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Robert Fowler, Kym Fowler, Will Fowler IV, Lauren Fowler, Jared Fowler, and Ashlee Blunt

I request a contested
case hearing.

REVIEWED

DEC 20 2022

By GAW PM

20DEC 22 11:53

000 0301

REQUEST FOR A PUBLIC MEETING

CONTESTING PROPOSED PERMIT NO. WQ0016234001

Will Fowler III

Fowler Family Spokesman/Contact

*(318) 452-5941 | 1208 McKeithen Dr. Alexandria, LA
71303 | billydfowler24@gmail.com*

*Kym Fowler, Robert Fowler, Will Davis Fowler IV,
Lauren Fowler, Jared Fowler, Ashlee Blunt*

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WILL FOWLER JR
1208 MCKEITHEN DR.
ALEXANDRIA, LA 71303

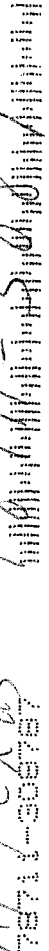


RECEIVED
LA 71303
18 DEC 2022 PM 1:14

TOEQ MAIL CENTER
JR

TEXAS COMMISSION ON Environmental Quality
Office of the chief clerk MC 105
P.O. Box 13087
Austin, Texas 78711-3087

TX 78711
DEC 22 11:37
TOEQ 050



PUBLIC COMMENTS

TCEQ OCC

13DEC '22 10:41

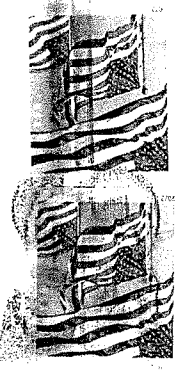
CONTESTING PROPOSED PERMIT NO. WQ0016234001

Will Fowler III

Fowler Family Spokesman/Contact

*(318) 452-5941 | 1208 McKeithen Dr. Alexandria, LA
71303 | billydfowler24@gmail.com*

WILL FOWLER
1208 MCKEITHEN DR.
ALEXANDRIA, LA 71303



SHREVEPORT LA 710
10 DEC 2022 PM 2:11

DEC 13 2022

US MAIL CENTER
WT

Texas Commission on Environmental Quality

Office of the chief clerk, MC 105

P.O. Box 13089

Austin, Texas 78711-3089

13089 22 10:40

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78711-3089

REVIEWED

DEC 13 2022

TCEQ OCC

Dear Chief Clerk,

By Gcw

13DEC '22 10:41

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Robert Fowler, Kym Fowler, Will Fowler IV, Lauren Fowler, Jared Fowler, and Ashlee Blunt

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Friday, December 9, 2022 4:47 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016234001
Attachments: Dad's letter to TEC .docx

From: davisfowler10@gmail.com <davisfowler10@gmail.com>
Sent: Friday, December 9, 2022 4:32 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016234001

REGULATED ENTY NAME ONE WATER MARBLE FALLS

RN NUMBER: RN111581898

PERMIT NUMBER: WQ0016234001

DOCKET NUMBER:

COUNTY: BURNET

PRINCIPAL NAME: CITY OF MARBLE FALLS

CN NUMBER: CN600622906

FROM

NAME: Will D Fowler, III

EMAIL: davisfowler10@gmail.com

COMPANY:

ADDRESS: 1208 MCKEITHEN DR
ALEXANDRIA LA 71303-9778

PHONE: 3184525941

FAX:

COMMENTS: Comments are attached in a word document. Please see attachment. Thank You

PUBLIC COMMENTS

CONTESTING PROPOSED PERMIT NO. WQ0016234001

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