

## Misty Botello

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 28, 2023 2:21 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ  
**Subject:** FW: Public comment on Permit Number WQ0015559001

RFR

**From:** jlstrable@gmail.com <jlstrable@gmail.com>  
**Sent:** Sunday, August 27, 2023 8:37 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WQ0015559001

**REGULATED ENTY NAME** NORTHGATE RANCH WWTP

**RN NUMBER:** RN109672469

**PERMIT NUMBER:** WQ0015559001

**DOCKET NUMBER:**

**COUNTY:** WILLIAMSON

**PRINCIPAL NAME:** RIVER OAKS LAND PARTNERS II LLC

**CN NUMBER:** CN605909704

**NAME:** MRS Jami Strable

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

**COMPANY:**

**ADDRESS:** 220 THOROUGHBRED TRCE  
LIBERTY HILL TX 78642-3931

**PHONE:** 5125418084

**FAX:**

**COMMENTS:** I would like the placement of this waste water treatment to be reconsidered. I am a homeowner in the direct area that this would affect. I do not want the smells or sounds of waste water treatment affecting the homestead we have created or affecting our property values. New growth should not come at the cost of existing resident home values and way of life. Please strongly reconsider this placement.

# Tabor Law Firm, PC

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## ATTORNEYS AND COUNSELORS AT LAW

REVIEWED

SEP 19 2023

By GW

PM  
H

September 18, 2023

Via electronic filing: [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment)  
Via Priority Mail No. 9114 9014 9645 1912 0912 24

Ms. Laurie Gharis, Chief Clerk  
Office of the Chief Clerk  
Mail Code 105  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

RE: Request for Public Meeting and Contested Case Hearing / **Permit No.**  
**WQ0015559001**

**River Oaks Land Partners II, LLC, 14001 West State Highway 29, Suite 203, Liberty Hill, Texas 78642**, [Applicant] has applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment to the TCEQ Permit No. WQ0015559001 to authorized to increase the flow in the Interim II phases from 0.180 MGD to 0.36 MGD; to change the acreage of the storage ponds from 15 acres to 8.34 acres; to change the total capacity of the storage ponds from 306 acre-ft to 131 acre-ft; and to change the irrigation area from 70 acres in the Interim I phase, and 70 acres to 108 acres in the Interim II phase. The existing permit authorizes the disposal of treated domestic wastewater effluent at a daily average flow not to exceed 0.06 MGD via surface irrigation of 70 acres of public access land in the Interim I phase, 0.180 MGD via surface irrigation of 70 acres of public access land in the Interim II phase, and 0.475 MGD via surface irrigation of 140 acres of public access land in the Final phase. No discharge of pollutants into water in the state is authorized by this permit. TCEQ received this application on September 29, 2022.

Dear Ms. Gharis:

This firm represents Brian Kieley in the above referenced matter. On behalf of Mr. Kieley, we request a contested case hearing to challenge this permit and permit amendment. In addition, we respectfully request a public meeting, and a reconsideration of the Executive Director's decision to issue a draft permit in response to this application.

There are several issues raised by the notice and the draft permit. The map of the proposed facilities included as "Attachment A" is extremely confusing. For example, the wastewater treatment plant is supposedly located northwest of the intersection of County Road 214 and San Gabriel Ranch

19SEP '23 9:59

1608 Hartford Road • Suite 100 • Austin, Texas USA 78703-3314 • (512) 708-8584

Facsimile (512) 233-5363 • E-mail: [cathy@taborlaw.com](mailto:cathy@taborlaw.com)

Office of the Chief Clerk  
Texas Commission on Environmental Quality  
September 18, 2023

Road. However, it appears the proposed facility is actually northeast of the referenced intersection. In addition, it is very hard to determine where the various ponds and irrigation areas are located when the base map is a topographic map with very few roads identified on it. The map refers to of a future alignment County Road 214, yet does not match with Google maps of the area. The map also refers to a "service area" but we have been unable to locate a sewer service CCN for this area on the PUC Maps.

We would like to understand what the applicant is proposing, and we reached out to the applicant's engineer for more information, but we were referred to a print copy of the application in the Liberty Hill Library. We have not had a chance to visit that library.

In addition to the confusion over the physical location of the various components proposed for authorization by the draft permit, Mr. Kieley requests further assurance that effluent runoff and management will have no impact on his property, as well as the health and welfare of the environment that is impacted by this application.

In an abundance of caution, since are unable to determine the date of newspaper publication using the TCEQ Commissioners Integrated Database, this letter is filed 30 days after the August 18, 2023, notice. We reserve the right to supplement this request as needed as additional information becomes available.

According to the map in the "Attachment A" of the draft permit, Mr. Kieley's property is adjacent to the subject property. His property is already being flooded by a recently constructed structure. The proposed increase in volume would potentially increase the flood damage already affecting his home/surrounding property. Mr. Kieley is the owner of the property address is 116 Taylor Creek Way, Liberty Hill, Texas 78642.

Thank you for your kind assistance in this matter. If you have any questions or need additional information, please call me at 512.800.3623. With kindest personal regards, I remain

Very truly yours,



Catherine Tabor

/clt

Enclosure: Permit Amendment Dated August 18, 2023

cc: Brian Kieley  
file

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



### NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR WATER QUALITY LAND APPLICATION PERMIT FOR MUNICIPAL WASTEWATER

#### AMENDMENT

**PERMIT NO. WQ0015559001**

**APPLICATION AND PRELIMINARY DECISION.** River Oaks Land Partners II, LLC, 14001 West State Highway 29 Suite 203, Liberty Hill, Texas 78642, has applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment to TCEQ Permit No. WQ0015559001 to authorize to increase the flow in the Interim II phases from 0.180 MGD to 0.36 MGD; to change the acreage of the storage ponds from 15 acres to 8.34 acres; to change the total capacity of the storage ponds from 306 acre-ft to 131 acre-ft; and to change the irrigation area from 70 acres to 20 acres in the Interim I phase, and 70 acres to 108 acres in the Interim II phase. The existing permit authorizes the disposal of treated domestic wastewater effluent at a daily average flow not to exceed 0.06 MGD via surface irrigation of 70 acres of public access land in the Interim I phase, 0.180 MGD via surface irrigation of 70 acres of public access land in the Interim II phase, and 0.475 MGD via surface irrigation of 140 acres of public access land in the Final phase. No discharge of pollutants into water in the state is authorized by this permit. TCEQ received this application on September 29, 2022.

The wastewater treatment facility and disposal site will be located approximately 1.0 mile northwest of the intersection of County Road 214 and San Gabriel Ranch Road, in Williamson County, Texas 78642. The wastewater treatment facility and disposal site will be located in the drainage basin of the drainage basin of North Fork San Gabriel River in Segment No. 1251 of the Brazos River Basin. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-97.891388,30.705&level=18>

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Liberty Hill Public Library, Liberty Hill, in Williamson County, Texas.

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision. A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST:** your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.

**EXECUTIVE DIRECTOR ACTION.** The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment) within 30 days from the date of newspaper publication of this notice.**

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Search the database using the permit number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION.** Public comments and requests must be submitted either electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment), or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC 105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from River Oaks Land Partners II, LLC at the address stated above or by calling Mr. Aaron Laughlin, P.E., Project Manager, Steger Bizzell, at 512-930-9412.

**Issuance Date: August 18, 2023**

TCEQ 000

19SEP '23 10:00



PRIORITY®

RDC 01

R2304N116890-8

FROM:

CARR: United States Postal Service  
TRK#: 9114901496451912091224  
RCVD: 9/19/2023 0821

CLRK: Bradley Cooper

TO: CHIEF, CLERK

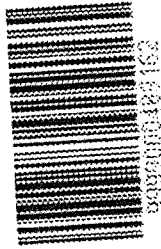
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PKG: 1

PCS: 1

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FROM:

CATHERINE TADOK  
TADOK LAW FIRM PC  
1608 HARTFORD RD SUITE 100  
AUSTIN, TX 78703

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## Misty Botello

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**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, September 19, 2023 8:16 AM  
**To:** PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Public comment on Permit Number WQ0015559001  
**Attachments:** 2023.9.18 TCEQ Appeal Letter PDF final.pdf

eComment = PM, H  
Attachment = PM, H

**From:** cathy@taborlaw.com <cathy@taborlaw.com>  
**Sent:** Monday, September 18, 2023 2:40 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WQ0015559001

**REGULATED ENTY NAME** NORTHGATE RANCH WWTP

**RN NUMBER:** RN109672469

**PERMIT NUMBER:** WQ0015559001

**DOCKET NUMBER:**

**COUNTY:** WILLIAMSON

**PRINCIPAL NAME:** RIVER OAKS LAND PARTNERS II LLC

**CN NUMBER:** CN605909704

**NAME:** MS Catherine Tabor

**EMAIL:** [cathy@taborlaw.com](mailto:cathy@taborlaw.com)

**COMPANY:** Tabor Law Firm, PC

**ADDRESS:** 1608 HARTFORD RD STE 100  
AUSTIN TX 78703-3314

**PHONE:** 5128003623

**FAX:** 5122335363

**COMMENTS:** September 18, 2023 Via electronic filing: [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment) Via Priority Mail No. 9114 9014 9645 1912 0912 24 Ms. Laurie Gharis, Chief Clerk Office of the Chief Clerk Mail Code 105 Texas Commission on Environmental Quality P.O. Box 13087 Austin, TX 78711-3087 RE: Request for Public Meeting and Contested Case Hearing / Permit No. WQ0015559001 River Oaks Land Partners II, LLC, 14001 West State Highway 29, Suite 203, Liberty Hill, Texas 78642, [Applicant] has applied to the Texas Commission on Environmental Quality (TCEQ) for a major



amendment to the TCEQ Permit No. WQ0015559001 to authorized to increase the flow in the Interim II phases from 0.180 MGD to 0.36 MGD; to change the acreage of the storage ponds from 15 acres to 8.34 acres; to change the total capacity of the storage ponds from 306 acre-ft to 131 acre-ft; and to change the irrigation area from 70 acres in the Interim I phase, and 70 acres to 108 acres in the Interim II phase. The existing permit authorizes the disposal of treated domestic wastewater effluent at a daily average flow not to exceed 0.06 MGD via surface irrigation of 70 acres of public access land in the Interim I phase, 0.180 MGD via surface irrigation of 70 acres of public access land in the Interim II phase, and 0.475 MGD via surface irrigation of 140 acres of public access land in the Final phase. No discharge of pollutants into water in the state is authorized by this permit. TCEQ received this application on September 29, 2022.

Dear Ms. Gharis: This firm represents Brian Kieley in the above referenced matter. On behalf of Mr. Kieley, we request a contested case hearing to challenge this permit and permit amendment. In addition, we respectfully request a public meeting, and a reconsideration of the Executive Director's decision to issue a draft permit in response to this application. There are several issues raised by the notice and the draft permit. The map of the proposed facilities included as "Attachment A" is extremely confusing. For example, the wastewater treatment plant is supposedly located northwest of the intersection of County Road 214 and San Gabriel Ranch Road. However, it appears the proposed facility is actually northeast of the referenced intersection. In addition, it is very hard to determine where the various ponds and irrigation areas are located when the base map is a topographic map with very few roads identified on it. The map refers to of a future alignment County Road 214, yet does not match with Google maps of the area. The map also refers to a "service area" but we have been unable to locate a sewer service CCN for this area on the PUC Maps. We would like to understand what the applicant is proposing, and we reached out to the applicant's engineer for more information, but we were referred to a print copy of the application in the Liberty Hill Library. We have not had a chance to visit that library. In addition to the confusion over the physical location of the various components proposed for authorization by the draft permit, Mr. Kieley requests further assurance that effluent runoff and management will have no impact on his property, as well as the health and welfare of the environment that is impacted by this application. In an abundance of caution, since are unable to determine the date of newspaper publication using the TCEQ Commissioners Integrated Database, this letter is filed 30 days after the August 18, 2023, notice. We reserve the right to supplement this request as needed as additional information becomes available. According to the map in the "Attachment A" of the draft permit, Mr. Kieley's property is adjacent to the subject property. His property is already being flooded by a recently constructed structure. The proposed increase in volume would potentially increase the flood damage already affecting his home/surrounding property. Mr. Kieley is the owner of the property address is 116 Taylor Creek Way, Liberty Hill, Texas 78642. Thank you for your kind assistance in this matter. If you have any questions or need additional information, please call me at 512.800.3623. With kindest personal regards, I remain Very truly yours, Catherine Tabor /clt Enclosure: Permit Amendment Dated August 18, 2023 cc: Brian Kieley file

# ***Tabor Law Firm, PC***

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## **ATTORNEYS AND COUNSELORS AT LAW**

September 18, 2023

*Via electronic filing: [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment)*

*Via Priority Mail No. 9114 9014 9645 1912 0912 24*

Ms. Laurie Gharis, Chief Clerk  
Office of the Chief Clerk  
Mail Code 105  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

RE: Request for Public Meeting and Contested Case Hearing / Permit No.  
WQ0015559001

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Office of the Chief Clerk  
Texas Commission on Environmental Quality  
September 18, 2023

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Very truly yours,



Catherine Tabor

/clt

Enclosure: Permit Amendment Dated August 18, 2023

cc: Brian Kieley  
file

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



### NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR WATER QUALITY LAND APPLICATION PERMIT FOR MUNICIPAL WASTEWATER

#### AMENDMENT

PERMIT NO. WQ0015559001

**APPLICATION AND PRELIMINARY DECISION.** River Oaks Land Partners II, LLC, 14001 West State Highway 29 Suite 203, Liberty Hill, Texas 78642, has applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment to TCEQ Permit No. WQ0015559001 to authorize to authorize to increase the flow in the Interim II phases from 0.180 MGD to 0.36 MGD; to change the acreage of the storage ponds from 15 acres to 8.34 acres; to change the total capacity of the storage ponds from 306 acre-ft to 131 acre-ft; and to change the irrigation area from 70 acres to 20 acres in the Interim I phase, and 70 acres to 108 acres in the Interim II phase. The existing permit authorizes the disposal of treated domestic wastewater effluent at a daily average flow not to exceed 0.06 MGD via surface irrigation of 70 acres of public access land in the Interim I phase, 0.180 MGD via surface irrigation of 70 acres of public access land in the Interim II phase, and 0.475 MGD via surface irrigation of 140 acres of public access land in the Final phase. No discharge of pollutants into water in the state is authorized by this permit. TCEQ received this application on September 29, 2022.

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**EXECUTIVE DIRECTOR ACTION.** The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

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**All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment) within 30 days from the date of newspaper publication of this notice.**

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Search the database using the permit number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION.** Public comments and requests must be submitted either electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment), or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC 105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from River Oaks Land Partners II, LLC at the address stated above or by calling Mr. Aaron Laughlin, P.E., Project Manager, Steger Bizzell, at 512-930-9412.

**Issuance Date: August 18, 2023**