

Vincent Redondo

From: PUBCOMMENT-OCC
Sent: Friday, March 1, 2024 4:02 PM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Request for Contested Hearings WQ0015944001 / WQ0016300001
Attachments: Middleton TCEQ Contested Hearings Request.pdf

H for both permits. Note, the second permit should be WQ0016360001

From: Clay Kelley <Clay.Kelley@tceq.texas.gov>
Sent: Friday, March 1, 2024 1:06 PM
To: Brad Patterson <Brad.Patterson@tceq.texas.gov>; Laurie Gharis <Laurie.Gharis@tceq.texas.gov>; Deanna Avalos <Deanna.Avalos@tceq.texas.gov>
Subject: Request for Contested Hearings WQ0015944001 / WQ0016300001

Good afternoon!

The below was received from Senator Middleton's staff requesting Contested Hearings for WQ0015944001 (Bayou Side Partners Santa Fe) as well as WQ0016300001. I did some research and could not find the latter, but I *believe* it is meant to be WQ0016360001 – Clear Utilities LLC / Field Creek Crossing.

Katherine,

Attached is a letter from Senator Middleton requested contested hearings on two permits in Senate District 11. Please let me know if you have any questions.

Best,

Andrew Herrell
Chief of Staff
Senator Mayes Middleton
O: 512-463-0111
C: 817-812-9908

Thanks,
Clay

Clay Kelley
Legislative Liaison, Intergovernmental Relations Division
Texas Commission on Environmental Quality
(o) 512.239.1873 | (c) 512.468.8858 | Clay.Kelley@tceq.texas.gov



SENATOR MAYES MIDDLETON

DISTRICT 11

March 1, 2024

Laurie Gharis
TCEQ Chief Clerk
Office of the Chief Clerk
PO Box 13087
Austin, TX 78711

RE: Request for Contested Case Hearings

Mrs. Gharis,

It has come to my attention that multiple residents in my district, specifically residents bordering Countryside Road, Ginger Road and Oak Road in Galveston County, have filed requests with the Texas Commission on Environmental Quality (TCEQ) to contest the approval of permit WQ0015944001, for Bayou Side Partners. Additionally, there seems to be a related permit, WQ0016300001, for Clear Utilities LLC, that is associated with the project. I ask that you give all due consideration in granting the requests of the affected persons prior to final approval.

TCEQ's public notice for applications state that petitioners must raise material issues during the Formal Comment Period before a contested hearing is granted. It is my understanding that there have been material issues raised to TCEQ regarding the permit. Specifically there are issues related to the expected flow of the drainage onto private property posing a risk to a number of wells. This will have an impact on the health of the drinking water for those residents as well as their livestock along with an economic impact via property values for the affected individuals.

Additionally, the constituents request for a contested hearing asks for physical on-site surveys of the natural drainage as well as assessment of the impact to area water quality including Dickinson Bayou and related property values. I would also encourage the exploration of options that have a lesser impact on the environment, specifically the use of existing treatment facilities already operating via various water and sewage districts.

Thank you for consideration of the requests for contested hearings for TCEQ Permit no. WQ0015944001 and WQ0016300001. Please contact Andrew Herrell in my office should you have any additional questions at 512-463-0111 or Andrew.Herrell@Senate.Texas.gov.

Sincerely,

A handwritten signature in black ink that reads "Mayes Middleton".

Mayes Middleton
Senate District 11

SENATE COMMITTEES
EDUCATION, CHAIR
FINANCE
HIGHER EDUCATION
WATER AND RURAL AFFAIRS



WQ
123021
CAPITOL OFFICE
P.O. BOX 12068
AUSTIN, TEXAS 78711-2068
(512) 463-0111
FAX: (512) 475-3727

SENATOR LARRY TAYLOR
DISTRICT 11

July 18, 2022

Laurie Gharis
TCEQ Chief Clerk
Office of the Chief Clerk
PO Box 13087
Austin, TX 78711

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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2022 JUL 22 AM 9:40
CHIEF CLERKS OFFICE

RE: Request for Contested Case Hearing by Mr. Roger McCrary. [Permit #WQ0015944001]

Mrs. Gharis,

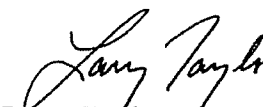
It has come to my attention that Mr. Roger McCrary has filed a request with Texas Commission on Environmental Quality (TCEQ) to contest the approval of Permit No. WQ0015944001, located in Santa Fe, Texas and Senate District 11. I ask that you give all due consideration in granting his request prior to the permit's approval.

TCEQ's public notice for this application states that petitioners must raise material issues during the Formal Comment Period before a contested case hearing is granted. It is my understanding that Mr. McCrary has filed the relevant issues with TCEQ in the required timeframe and is seeking additional investigations before the Commissioners' approval of the application. While not immediately adjacent to the project location, it's drainage is expected to flow through Mr. McCrary's property. The impact this will have on the health of his drinking wells and livestock tanks recommend his affected party status. His request for a contested case hearing asks for additional surveys of the natural drainage patterns surrounding the proposed site.

The Bayou Side Partners Santa Fe, LTD has requested authorization to discharge treated domestic water at a daily average flow not to exceed 75,000 gallons per day. TCEQ held a public meeting on April 4, 2022 closing its Formal Comment Period. The permit has not yet been approved and is waiting for final approval by Commissioners.

Thank you for consideration of Mr. McCrary's request for a contested case hearing for TCEQ Permit no. WQ0015944001. Please contact my office should you have any additional questions.

Sincerely,


Larry Taylor
Senate District 11

PEARLAND DISTRICT OFFICE
6117 BROADWAY, SUITE 122
PEARLAND, TEXAS 77581
(281) 485-9800
FAX: (281) 485-9804

LEAGUE CITY DISTRICT OFFICE
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LEAGUE CITY, TEXAS 77573
(281) 332-0003
FAX: (281) 332-0036





SENATOR LARRY TAYLOR
P.O. Box 12068 • AUSTIN, TEXAS 78711

INTERAGENCY

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2022 JUL 22 AM 9:40

CHIEF CLERKS OFFICE

Laurie Gharis
TCEQ Chief Clerk
Office of the Chief Clerk
PO Box 13087 Austin, TX 78711

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JUL 22 2022

TCEQ MAIL CENTER
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