

## Christina Bourque

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**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](mailto:Clay.Kelley@tceq.texas.gov)>  
**Sent:** Friday, March 1, 2024 1:06 PM  
**To:** Brad Patterson <[Brad.Patterson@tceq.texas.gov](mailto:Brad.Patterson@tceq.texas.gov)>; Laurie Gharis <[Laurie.Gharis@tceq.texas.gov](mailto:Laurie.Gharis@tceq.texas.gov)>; Deanna Avalos <[Deanna.Avalos@tceq.texas.gov](mailto: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](mailto: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](mailto:Andrew.Herrell@Senate.Texas.gov).

Sincerely,

A handwritten signature in black ink that reads "Mayes Middleton". The signature is fluid and cursive, with the first and last names clearly legible.

Mayes Middleton  
Senate District 11