

Tammy Johnson

From: PUBCOMMENT-OCC
Sent: Thursday, April 24, 2025 10:38 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Karen Anderson.pdf

RFR

From: robynfarrell1979@gmail.com <robynfarrell1979@gmail.com>
Sent: Wednesday, April 23, 2025 8:17 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

NAME: Karen Anderson

EMAIL: robynfarrell1979@gmail.com

COMPANY:

ADDRESS: 466 Bee Creek School House Rd Ellis County
Grandview, TX 76084

PHONE: 2148508214

FAX:

COMMENTS: See attached

Karen Anderson
466 Bee Creek School House Rd
Grandview, TX 76050

Laurie Gharis, Chief Clerk
Office of the Chief Clerk, MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

In Re: Application for Buffalo Hills LLC, for proposed Texas Pollutant Discharge Elimination
System (TPDES) Permit No. WQ0016216001
Attn: Chief Clerk Gharis

I am requesting Reconsideration and Denial of the above referenced permit application.

Required public notification was not done. Documents required to be placed in public viewing locations were not. Only the administratively complete application was placed at the designated viewing location Nicholas P. Sims Library in Ellis County. No updates to the application for changes made. No updated maps, or any of the other documents required to be made available. Notice of Receipt and Intent to obtain permit was only published in one of the counties. The NAPD which was actually a combined notice with the Public Meeting Notice and updated NORI, was only published in one county. This facility is located in 2 counties Johnson and Ellis, and had requirements for publication in both counties as well as Spanish Translations.

It is impossible for the public to participate in the process if the requirements for publication and viewing opportunities are ignored. Any update or change to the application should be available for viewing and copying throughout the permitting process up until the Commission makes a determination or it is referred to the State Office of Administrative Hearings.

Please protect the Public Participation Process and deny this permit application.

Sincerely,
Karen Anderson

Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Wednesday, October 9, 2024 3:06 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Comment.pdf

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: stopthefloodingellis@gmail.com <stopthefloodingellis@gmail.com>
Sent: Tuesday, October 8, 2024 9:11 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

NAME: Karen Anderson

EMAIL: stopthefloodingellis@gmail.com

COMPANY:

ADDRESS: 466 BEE CREEK SCHOOL HOUSE RD
GRANDVIEW TX 76050-5110

PHONE: 9727238726

FAX:

COMMENTS: ATTACHMENT PROVIDED

BUFFALO HILLS DEVELOPMENT LLC, WQ0016216001

During the Public Meeting, disturbing information was provided regarding this application.

I respectfully request that this application be reviewed again before it goes any farther through the approval process. The application appears to be missing information that would have been needed to issue the Draft Permit.

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Tuesday, May 16, 2023 10:17 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

PM

From: kslokanderson@gmail.com <kslokanderson@gmail.com>
Sent: Tuesday, May 16, 2023 3:21 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

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CN NUMBER: CN606057081

NAME: Karen Anderson

EMAIL: kslokanderson@gmail.com

COMPANY:

ADDRESS: 466 BEE CREEK SCHOOL HOUSE RD
GRANDVIEW TX 76050-5110

PHONE: 9725675817

FAX:

COMMENTS: I request a public meeting

Tammy Johnson

From: PUBCOMMENT-OCC
Sent: Thursday, April 24, 2025 10:45 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Hayden Farrell.pdf

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H

From: robynfarrrell1979@gmail.com <robynfarrrell1979@gmail.com>
Sent: Wednesday, April 23, 2025 8:12 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
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PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

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CN NUMBER: CN606057081

NAME: Hayden Farrell

EMAIL: robynfarrrell1979@gmail.com

COMPANY:

ADDRESS: 1308 ozro rd
Venus, TX 76084

PHONE: 2148508214

FAX:

COMMENTS: See attached

Hayden Farrell
1605 BearPath Way
Gunter, Tx 75058

Laurie Gharis, Chief Clerk
Office of the Chief Clerk, MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

In Re: Application for Buffalo Hills LLC, for proposed Texas Pollutant Discharge Elimination

System (TPDES) Permit No. WQ0016216001

Attn: Chief Clerk Gharis

I offer the below comments and request Reconsideration. If this permit is not denied under Reconsideration, I respectively request the TCEQ to use comments I submitted on 10-8-2024 and those listed here as my official request for a Contested Case Hearing

The information I am providing is from a Public Information Request dated 3/28/2025 and received 4/9/2025 and 4/16/2025 as well as a personal review of the documents located in Ellis County at the location designated by the applicant on 4/17/2025. **This applicant violated the TCEQ's Public Participation Plan.**

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There was only one Publishers Affidavit for the NORI and it was for Johnson County. No Publishers Affidavit for the NORI for Ellis County.

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Only the original application was made available for viewing and copying by the public in Ellis County, at the designated location stated by the applicant. Failure to notify the public happened throughout this applications process.

All documents requested in Notice of Deficiencies were not supplied. The documents that were supplied were not added to the documents available for public viewing in Ellis County. The applicant did not provide a corrected request for service, nor was it made available for public viewing.

The updates to the application requiring Nuisance Oder Control, and De chlorination were not updated and made available to the public

Application:

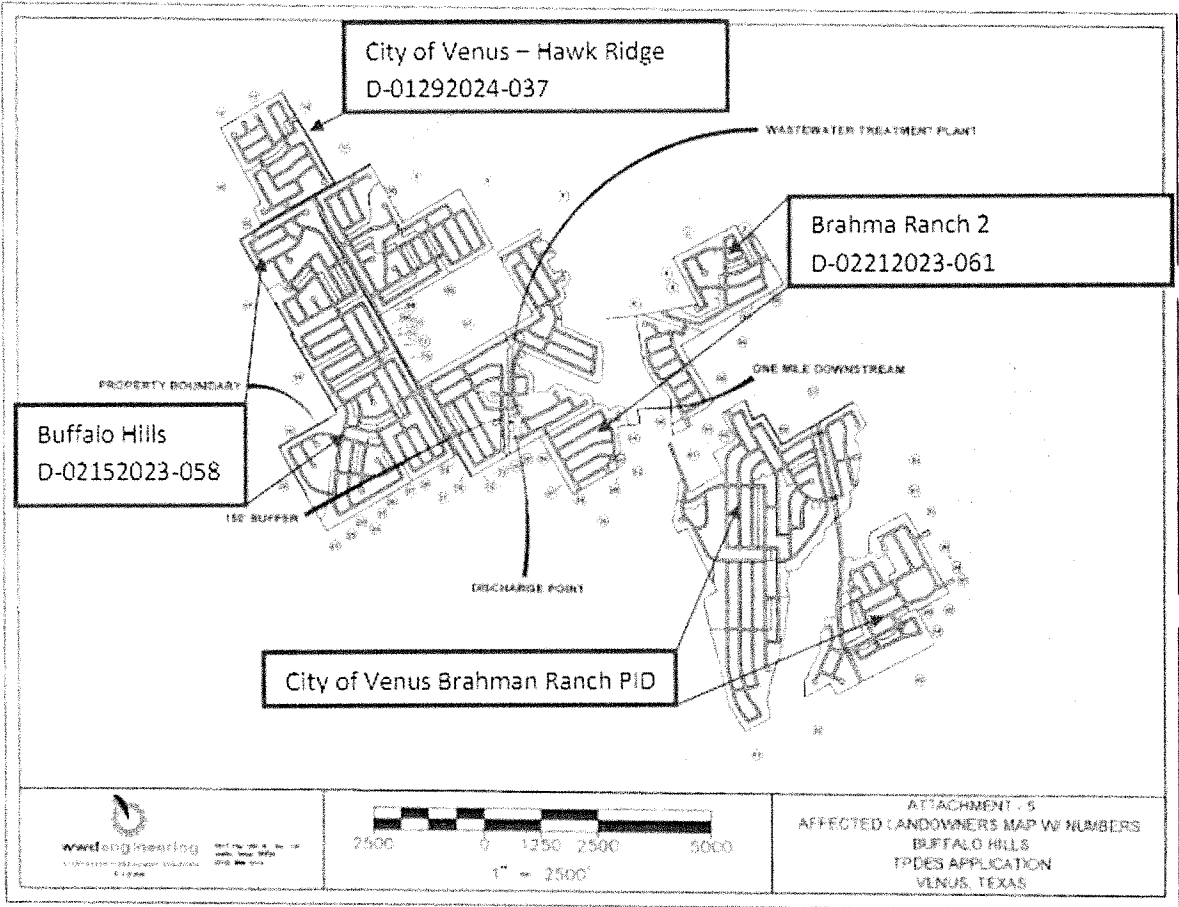
Applicant states none of the subdivisions property is within an incorporated city. This is false. 87.89 acres of the Buffalo Hills subdivision is/was in the City Limits of Venus Tx, and is in the wastewater service area for the City of Venus.

Applicant states there are 2 subdivisions that this permit will provide service for. Applicants own maps show different. Maps supplied with this permit show Buffalo Hills, Brahman Ranch 2, and Brahman Ranch Public Improvement District for the City of Venus.

The updates to the application requiring Nuisance Oder Control, and De chlorination were not updated.

No documentation/justification for the volume requirements for this plant were provided. ie. LUE's. The justification should include each phase and LUE per phase. How can the TCEQ verify that the necessary controls for the plant are adequate if it cannot review that the actual calculations are correct?

All of the subdivisions have access to the TRA's Mountain Creek Regional Wastewater System, utilizing collection through the City of Venus who is a partner in the regional plant.



Jennifer Cox

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Sent: Wednesday, October 9, 2024 3:05 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Hayden Farrell .pdf

H

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

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From: pwf25j@yahoo.com <pwf25j@yahoo.com>
Sent: Tuesday, October 8, 2024 3:14 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

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RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

NAME: Hayden Farrell

EMAIL: pwf25j@yahoo.com

COMPANY:

ADDRESS: 1605 BEARPATH WAY
GUNTER TX 75058-4208

PHONE: 9727238726

FAX:

COMMENTS: See attached

Hayden Farrell

1605 BearPath Way

Gunter, Tx 75058

Laurie Gharis, Chief Clerk

Office of the Chief Clerk, MC 105

TCEQ

P.O. Box 13087

Austin, TX 78711-3087

In Re: Application for Buffalo Hills LLC, for proposed Texas Pollutant Discharge Elimination

System (TPDES) Permit No. WQ0016216001

Attn: Chief Clerk Gharis

I offer the below Comments:

I am an affected person within the definition of that term by the Texas Administration Code:

I am the heir to property that is located at 1308 Ozro Road, consisting of approximately 38 acres. The confluence of Boggy Branch and Armstrong Creek is on our property. Both creeks cross our property from the north property line to the south property line.

I am in the Health Care Industry currently as the Director of Respiratory Care at a Baylor Scott and White Hospital in the North DFW area and have concerns for my family and children.

I am respectfully requesting that this application be reviewed again and Draft Permit be revoked. Further review is essential in this permit. The application has many omissions, fields left blank and does not meet the requirement standards for Draft Permit Approval.

From the application

The Justification and descriptions of the service needs for this plant are grossly inadequate. None of them state the number of houses to be serviced, or the number of acres in the subdivisions. This is throughout the application every where this information is required..

The SPIF is also missing information with many questions being left unanswered, partially answered or left blank. No city or county information provided. #6 left blank construction impacts. #7 left blank disturbances to vegetation. #8 left blank. #9 left blank.

Domestic Administrative Report 1.1

Buffer zone map not complete. Buffer zone not clearly noted on map. There are no treatment units depicted. Distance from each treatment unit to property boundaries not depicted on map as required.

Domestic Technical Report 1.0

Section 2. C Flow Diagrams- there are not flow diagrams for each phase. Attachment 12

Section 3. Site drawing is inadequate. Attachment 13. Name and description are inadequate.

Section 8. Operator only has a class A License

Domestic Technical Report 1.1

B. Regionalization

1. There is a portion in an incorporated city (600+/-acres) in the City of Venus. No correspondence from city provided.

3. Attachment 15 states no WWTP's found, no map or the requested information provided.

However the applicant did contact the City of Venus requesting acceptance to or the expansion of their WWTP (1 mile away) to accommodate **3.94 MILLION GALLONS PER DAY**. They list this as Attachment 16, but really is Attachment 14. This Letter was a check yes/no with no signature from any city official. In fact was signed by Ross S. Martin of Winstead representing applicant. Attachment 14

Applicant states no to the question of a collection system within 3 miles. The city of Venus has a trunk line approximately 1 mile north of this development. It flows to the TRA Regional Treatment Plant in Midlothian and services all of the City of Venus.

Section 5 Facility Site

A . 100 year floodplain

Answer was no, yet no description of protective measures were given. It is blank

If you decide not to review this application (which I pray you will) or after review you decide that this application as submitted and originally reviewed meets all TCEQ requirements for applications. Then I request the following.

I request a Contested Case Hearing for the above mentioned and the following:

The application should be denied for the following environmental, procedural and technical deficiencies pertaining to this application.

Environmental:

1. Contamination of our private water well from toxins including PFAS which this TPDES is not testing for, this is the only source for water I have

2. Contamination of the soil from PFAS transported id creek and floodwaters

3. My children play, swim, and fish in these creeks, even in drought years there are multiple holding pools within the creeks. I am concerned about skin absorption and ingestion of toxins including PFAS.

4. Contamination of the fish in my stock ponds which we use for food. The pond is fed by receiving waters partially from Armstrong Creek and Boggy Branch.

5. This plant will contaminate the creek and affect all fish and aquatic life along with the entire ecosystem of these creeks. Including endangered species per Texas Parks and Wildlife.
6. The waterways in Ellis County have numerous endangered species, and migratory birds through this corridor and these have not been addressed.
7. Loss of wildlife habitat from the thousands of acres associated with this TPDES and the development it will service.
8. We will have the odor/smells and air pollutants from not just this plant but all 3 that are in very close proximity to each other and my farm

Flooding;

1. The amount of additional water from this TPDES and its development will increase flooding on our property
2. It will cause creek bank erosion, accumulation of sediment and expansion of the floodplain. This will cause loss of land from our property to the floodplain.
3. The loss of useable agricultural land will cause economic damages to our property
4. FEMA has not determined a Base Flood Elevation in this area, and there are no flow meters that establish current flow. It would be impossible to determine the flooding downstream without a comprehensive flood study which was not done.
5. There are no flood mitigation dams downstream to protect landowners and other communities.
6. The facility is in a floodplain but there are no controls in the application to protect the facility of flooding

The amount of sludge being contained onsite is too large for a floodplain

This TPDES is only one part of a multi-thousand acre development. The Master Plan includes approximately 4200 +/- acres including 3 TPDES pending, multiple pending MUD applications

This 4200 acre massive development MUST be reviewed as one. The environmental impacts including flooding on my property will be cumulative. The TPDES's for this entire development are 1 mile apart from each other. The acreage is all contiguous and will dump effluent and storm water into the same 2 creeks in the same watershed. My property will be affected by this entire development as both of these creeks Armstrong Creek and Boggy Branch merge on my property before heading downstream. All 3 TPDES requesting permits are not sufficient to handle the GPD of the portions of this development they are to service and all will require expansion.

Dams were not looked at

Affects of LOMR's were not looked at

Respectively,

Hayden Farrell

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Friday, March 24, 2023 10:37 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

PM

From: kimfarrell814@hotmail.com <kimfarrell814@hotmail.com>
Sent: Thursday, March 23, 2023 8:22 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

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PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Hayden Farrell

EMAIL: kimfarrell814@hotmail.com

COMPANY:

ADDRESS: 1605 BEARPATH WAY
GUNTER TX 75058-4208

PHONE: 9727238726

FAX:

COMMENTS: I request a public meeting

Tammy Johnson

From: PUBCOMMENT-OCC
Sent: Thursday, April 24, 2025 10:35 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Maliya Farrell.pdf

RFR
H

From: robynf Farrell1979@gmail.com <robynf Farrell1979@gmail.com>
Sent: Wednesday, April 23, 2025 8:10 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
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EMAIL: robynf Farrell1979@gmail.com

COMPANY:

ADDRESS: 1308 ozro rd
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PHONE: 2148508214

FAX:

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Maliya Farrell
1605 BearPath Way
Gunter, Tx 75058

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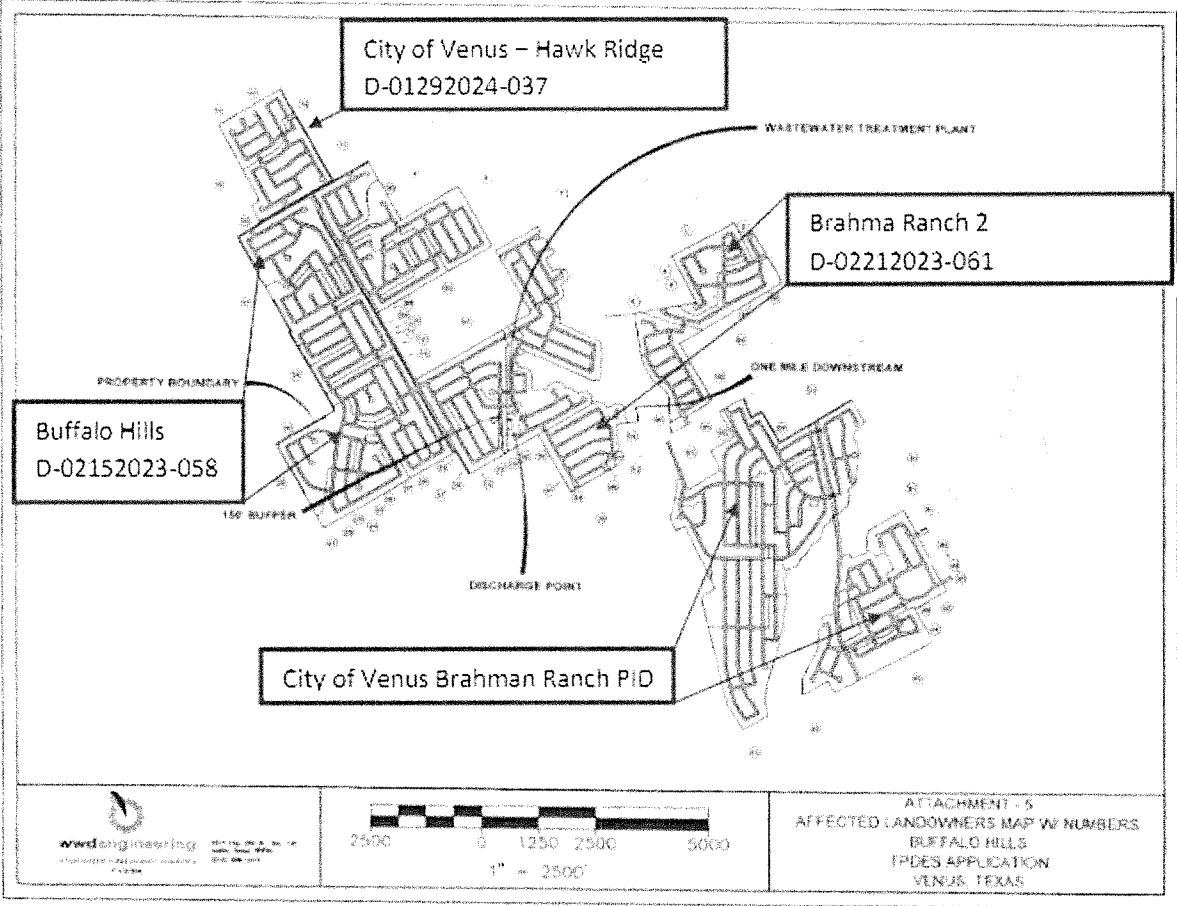
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Office Phone: 512-239-3319

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From: pwf25j@yahoo.com <pwf25j@yahoo.com>
Sent: Tuesday, October 8, 2024 3:15 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
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NAME: Maliya Farrell

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Affects of LOMR's were not looked at

Respectively,

Maliya Farrell

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Friday, March 24, 2023 10:36 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
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PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

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PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Maliya Farrell

EMAIL: pwf25j@yahoo.com

COMPANY:

ADDRESS: 1605 BEARPATH WAY
GUNTER TX 75058-4208

PHONE: 9727238726

FAX:

COMMENTS: I request a public meeting

Tammy Johnson

From: PUBCOMMENT-OCC
Sent: Thursday, April 24, 2025 10:34 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Phillip Farrell Jr.pdf

RFR
H

From: robynfarrell1979@gmail.com <robynfarrell1979@gmail.com>
Sent: Wednesday, April 23, 2025 8:09 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

NAME: Phillip Farrell Jr

EMAIL: robynfarrell1979@gmail.com

COMPANY:

ADDRESS: 1308 ozro rd
Venus, TX 76084

PHONE: 2148508214

FAX:

COMMENTS: See attached

Phillip Farrell Jr.
1605 BearPath Way
Gunter, Tx 75058

Laurie Gharis, Chief Clerk
Office of the Chief Clerk, MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

In Re: Application for Buffalo Hills LLC, for proposed Texas Pollutant Discharge Elimination
System (TPDES) Permit No. WQ0016216001

Attn: Chief Clerk Gharis

I offer the below comments and request Reconsideration. If this permit is not denied under Reconsideration, I respectively request the TCEQ to use comments I submitted on 10-8-2024 and those listed here as my official request for a Contested Case Hearing

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The updates to the application requiring Nuisance Oder Control, and De chlorination were not updated and made available to the public

Application:

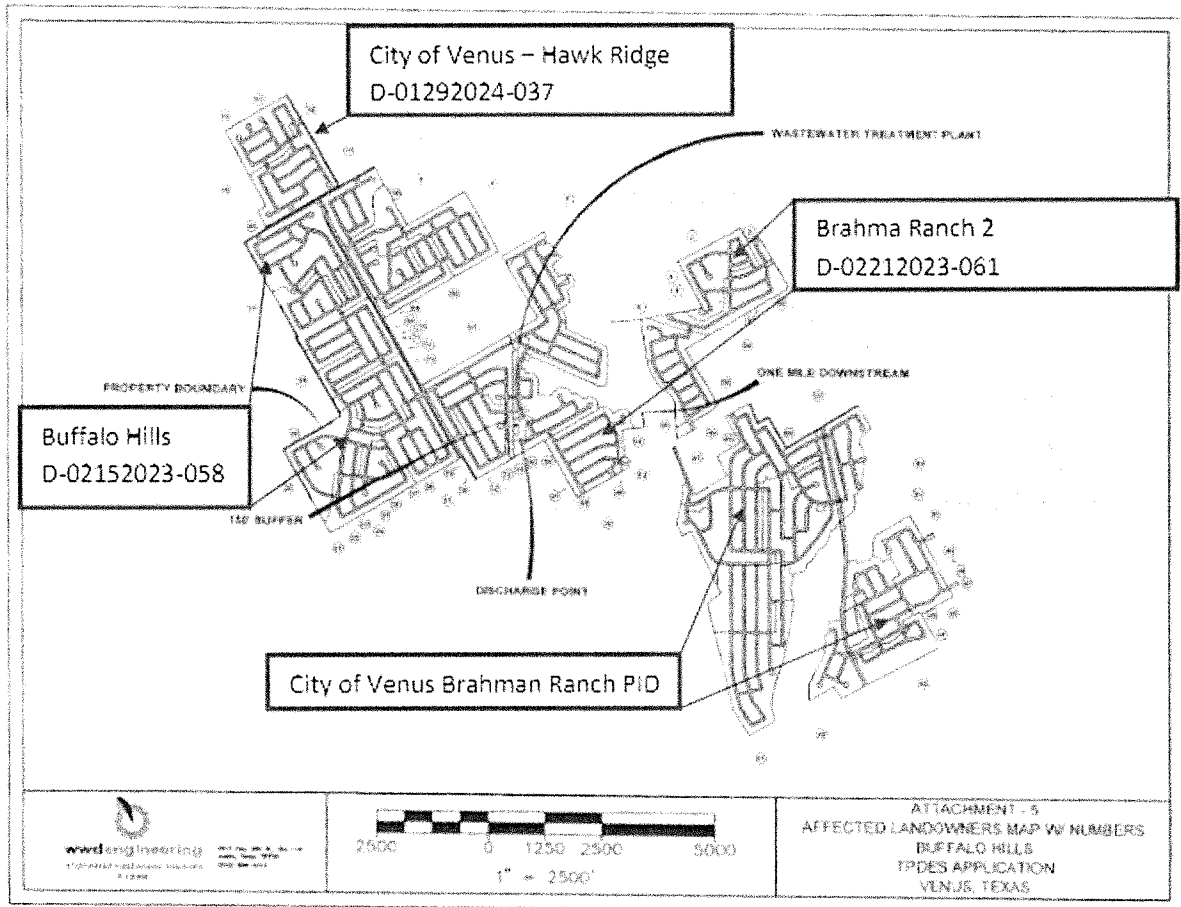
Applicant states none of the subdivisions property is within an incorporated city. This is false. 87.89 acres of the Buffalo Hills subdivision is/was in the City Limits of Venus Tx, and is in the wastewater service area for the City of Venus.

Applicant states there are 2 subdivisions that this permit will provide service for. Applicants own maps show different. Maps supplied with this permit show Buffalo Hills, Brahman Ranch 2, and Brahman Ranch Public Improvement District for the City of Venus.

The updates to the application requiring Nuisance Oder Control, and De chlorination were not updated.

No documentation/justification for the volume requirements for this plant were provided. ie. LUE's. The justification should include each phase and LUE per phase. How can the TCEQ verify that the necessary controls for the plant are adequate if it cannot review that the actual calculations are correct?

All of the subdivisions have access to the TRA's Mountain Creek Regional Wastewater System, utilizing collection through the City of Venus who is a partner in the regional plant.



Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Wednesday, October 9, 2024 3:05 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Phillip Farrell Jr.pdf

H

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: pwf25j@yahoo.com <pwf25j@yahoo.com>
Sent: Tuesday, October 8, 2024 3:13 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

NAME: Phillip Farrell, JR

EMAIL: pwf25j@yahoo.com

COMPANY:

ADDRESS: 1605 BEARPATH WAY
GUNTER TX 75058-4208

PHONE: 9727238726

FAX:

COMMENTS: See attached

Phillip Farrell Jr.

1605 BearPath Way

Gunter, Tx 75058

Laurie Gharis, Chief Clerk

Office of the Chief Clerk, MC 105

TCEQ

P.O. Box 13087

Austin, TX 78711-3087

In Re: Application for Buffalo Hills LLC, for proposed Texas Pollutant Discharge Elimination

System (TPDES) Permit No. WQ0016216001

Attn: Chief Clerk Gharis

I offer the below Comments:

I am an affected person within the definition of that term by the Texas Administration Code:

I am the heir to property that is located at 1308 Ozro Road, consisting of approximately 38 acres. The confluence of Boggy Branch and Armstrong Creek is on our property. Both creeks cross our property from the north property line to the south property line.

I am in the Health Care Industry currently as the Director of Respiratory Care at a Baylor Scott and White Hospital in the North DFW area and have concerns for my family and children.

I am respectfully requesting that this application be reviewed again and Draft Permit be revoked. Further review is essential in this permit. The application has many omissions, fields left blank and does not meet the requirement standards for Draft Permit Approval.

From the application

The Justification and descriptions of the service needs for this plant are grossly inadequate. None of them state the number of houses to be serviced, or the number of acres in the subdivisions. This is throughout the application every where this information is required..

The SPIF is also missing information with many questions being left unanswered, partially answered or left blank. No city or county information provided. #6 left blank construction impacts. #7 left blank disturbances to vegetation. #8 left blank. #9 left blank.

Domestic Administrative Report 1.1

Buffer zone map not complete. Buffer zone not clearly noted on map. There are no treatment units depicted. Distance from each treatment unit to property boundaries not depicted on map as required.

Domestic Technical Report 1.0

Section 2. C Flow Diagrams- there are not flow diagrams for each phase. Attachment 12

Section 3. Site drawing is inadequate. Attachment 13. Name and description are inadequate.

Section 8. Operator only has a class A License

Domestic Technical Report 1.1

B. Regionalization

1. There is a portion in an incorporated city (600+/-acres) in the City of Venus. No correspondence from city provided.

3. Attachment 15 states no WWTP's found, no map or the requested information provided.

However the applicant did contact the City of Venus requesting acceptance to or the expansion of their WWTP (1 mile away) to accommodate **3.94 MILLION GALLONS PER DAY**. They list this as Attachment 16, but really is Attachment 14. This Letter was a check yes/no with no signature from any city official. In fact was signed by Ross S. Martin of Winstead representing applicant. Attachment 14

Applicant states no to the question of a collection system within 3 miles. The city of Venus has a trunk line approximately 1 mile north of this development. It flows to the TRA Regional Treatment Plant in Midlothian and services all of the City of Venus.

Section 5 Facility Site

A . 100 year floodplain

Answer was no, yet no description of protective measures were given. It is blank

If you decide not to review this application (which I pray you will) or after review you decide that this application as submitted and originally reviewed meets all TCEQ requirements for applications. Then I request the following.

I request a Contested Case Hearing for the above mentioned and the following:

The application should be denied for the following environmental, procedural and technical deficiencies pertaining to this application.

Environmental:

1. Contamination of our private water well from toxins including PFAS which this TPDES is not testing for, this is the only source for water I have

2. Contamination of the soil from PFAS transported in creek and floodwaters

3. My children play, swim, and fish in these creeks, even in drought years there are multiple holding pools within the creeks. I am concerned about skin absorption and ingestion of toxins including PFAS.

4. Contamination of the fish in my stock ponds which we use for food. The pond is fed by receiving waters partially from Armstrong Creek and Boggy Branch.

5. This plant will contaminate the creek and affect all fish and aquatic life along with the entire ecosystem of these creeks. Including endangered species per Texas Parks and Wildlife.
6. The waterways in Ellis County have numerous endangered species, and migratory birds through this corridor and these have not been addressed.
7. Loss of wildlife habitat from the thousands of acres associated with this TPDES and the development it will service.
8. We will have the odor/smells and air pollutants from not just this plant but all 3 that are in very close proximity to each other and my farm

Flooding;

1. The amount of additional water from this TPDES and its development will increase flooding on our property
2. It will cause creek bank erosion, accumulation of sediment and expansion of the floodplain. This will cause loss of land from our property to the floodplain.
3. The loss of useable agricultural land will cause economic damages to our property
4. FEMA has not determined a Base Flood Elevation in this area, and there are no flow meters that establish current flow. It would be impossible to determine the flooding downstream without a comprehensive flood study which was not done.
5. There are no flood mitigation dams downstream to protect landowners and other communities.
6. The facility is in a floodplain but there are no controls in the application to protect the facility of flooding

The amount of sludge being contained onsite is too large for a floodplain

This TPDES is only one part of a multi-thousand acre development. The Master Plan includes approximately 4200 +/- acres including 3 TPDES pending, multiple pending MUD applications

This 4200 acre massive development MUST be reviewed as one. The environmental impacts including flooding on my property will be cumulative. The TPDES's for this entire development are 1 mile apart from each other. The acreage is all contiguous and will dump effluent and storm water into the same 2 creeks in the same watershed. My property will be affected by this entire development as both of these creeks Armstrong Creek and Boggy Branch merge on my property before heading downstream. All 3 TPDES requesting permits are not sufficient to handle the GPD of the portions of this development they are to service and all will require expansion.

Dams were not looked at

Affects of LOMR's were not looked at

Respectively,

Phillip Farrell Jr.

Director of Respiratory Care

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Friday, March 24, 2023 10:35 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

From: pwf25j@yahoo.com <pwf25j@yahoo.com>
Sent: Thursday, March 23, 2023 7:57 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Phillip Farrell, JR

EMAIL: pwf25j@yahoo.com

COMPANY:

ADDRESS: 1605 BEARPATH WAY
GUNTER TX 75058-4208

PHONE: 9727238726

FAX:

COMMENTS: We received a letter from the TCEQ that our Family Farm is within 1 mile of a proposed Sewer Plant. My family including young children use Boggy Branch for swimming, fishing, and recreation. There is also 5 sewer plants 1 already approved and 1 requesting a permit. Both of these creeks run through our farm and merge in the middle of our farm. I am concerned with the accumulation of toxins in our creeks and holding pools that we use for recreation

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Friday, March 24, 2023 10:35 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

PM

From: pwf25j@yahoo.com <pwf25j@yahoo.com>
Sent: Thursday, March 23, 2023 7:59 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

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FROM

NAME: Phillip Farrell

EMAIL: pwf25j@yahoo.com

COMPANY:

ADDRESS: 1605 BEARPATH WAY
GUNTER TX 75058-4208

PHONE: 9727238726

FAX:

COMMENTS: I request a public meeting

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From: PUBCOMMENT-OCC
Sent: Thursday, April 24, 2025 10:30 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Phillip Farrell Sr.pdf

RFR
H

From: robynfarrell1979@gmail.com <robynfarrell1979@gmail.com>
Sent: Wednesday, April 23, 2025 6:15 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

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RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

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PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

NAME: Phillip Farrell, SR

EMAIL: robynfarrell1979@gmail.com

COMPANY:

ADDRESS: 1308 ozro rd
Venus, TX 76084

PHONE: 2148508214

FAX:

COMMENTS: see attached

Phillip Farrell Sr.
1308 Ozro Rd.
Venus, Tx 76084

Laurie Gharis, Chief Clerk
Office of the Chief Clerk, MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

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System (TPDES) Permit No. WQ0016216001

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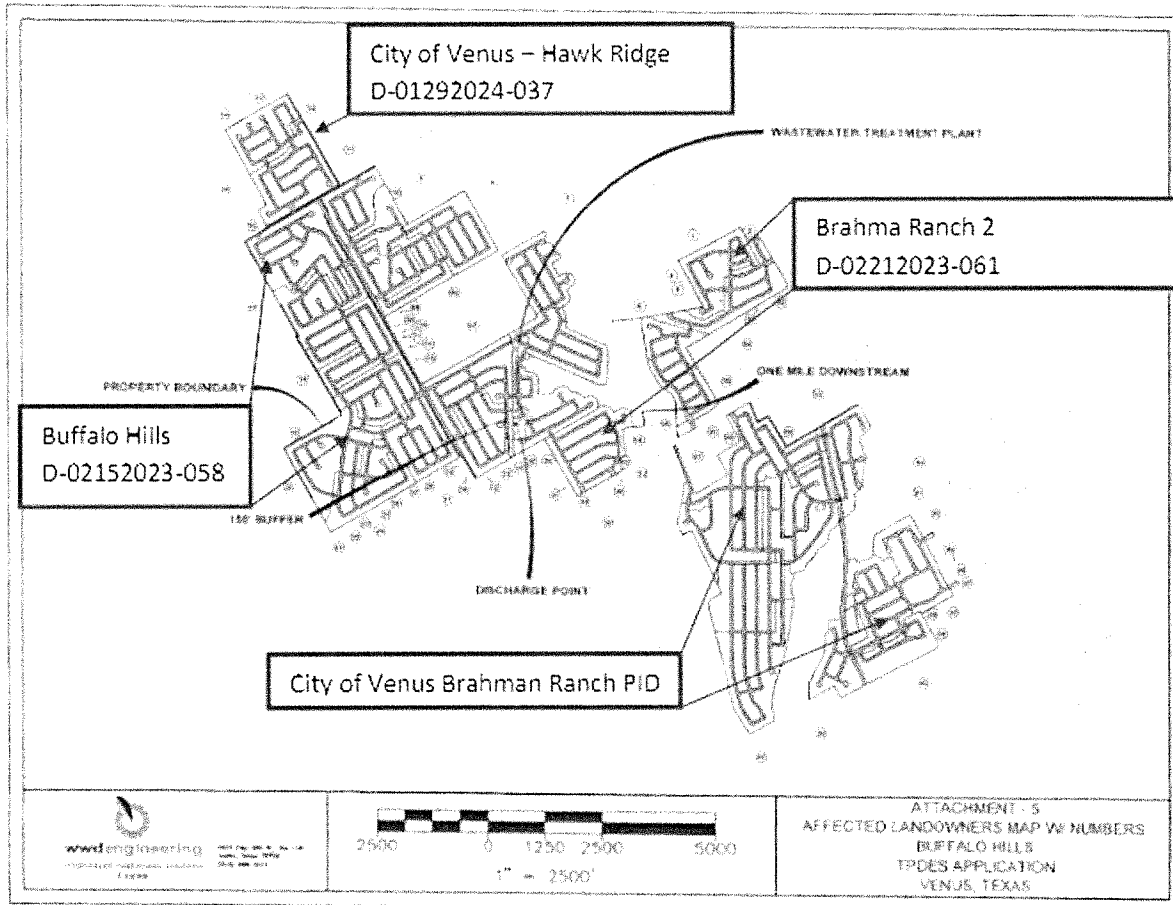
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Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Wednesday, October 9, 2024 3:03 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Phillip Farrell Sr..pdf

H

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

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Sent: Tuesday, October 8, 2024 3:05 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
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DOCKET NUMBER:

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CN NUMBER: CN606057081

NAME: Phillip Farrell, SR

EMAIL: fats99@sbcglobal.net

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 9727238726

FAX:

COMMENTS: See attached

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1308 Ozro Rd.
Venus, Tx 76084

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Dams were not looked at

Effects of LOMR's were not looked at

Respectively,

Phillip Farrell Sr.

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Monday, March 20, 2023 9:49 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016216001

PM

From: fats99@sbcglobal.net <fats99@sbcglobal.net>
Sent: Sunday, March 19, 2023 11:14 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

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RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Phillip Farrell, SR

EMAIL: fats99@sbcglobal.net

COMPANY:

ADDRESS: 1308 OZRO RD
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PHONE: 9727238726

FAX:

COMMENTS: I would like to request a public meeting

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Sent: Thursday, April 24, 2025 10:29 AM
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Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Robyn Farrell.pdf

RFR
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Sent: Wednesday, April 23, 2025 6:13 PM
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DOCKET NUMBER:

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PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

NAME: Robyn Farrell

EMAIL: robynfarrrell1979@gmail.com

COMPANY:

ADDRESS: 1308 ozro rd
Venus, TX 76084

PHONE: 2148508214

FAX:

COMMENTS: see attached

Robyn Farrell
1308 Ozro Rd.
Venus, Tx 76084

Laurie Gharis, Chief Clerk
Office of the Chief Clerk, MC 105
TCEQ
P.O. Box 13087
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Application:

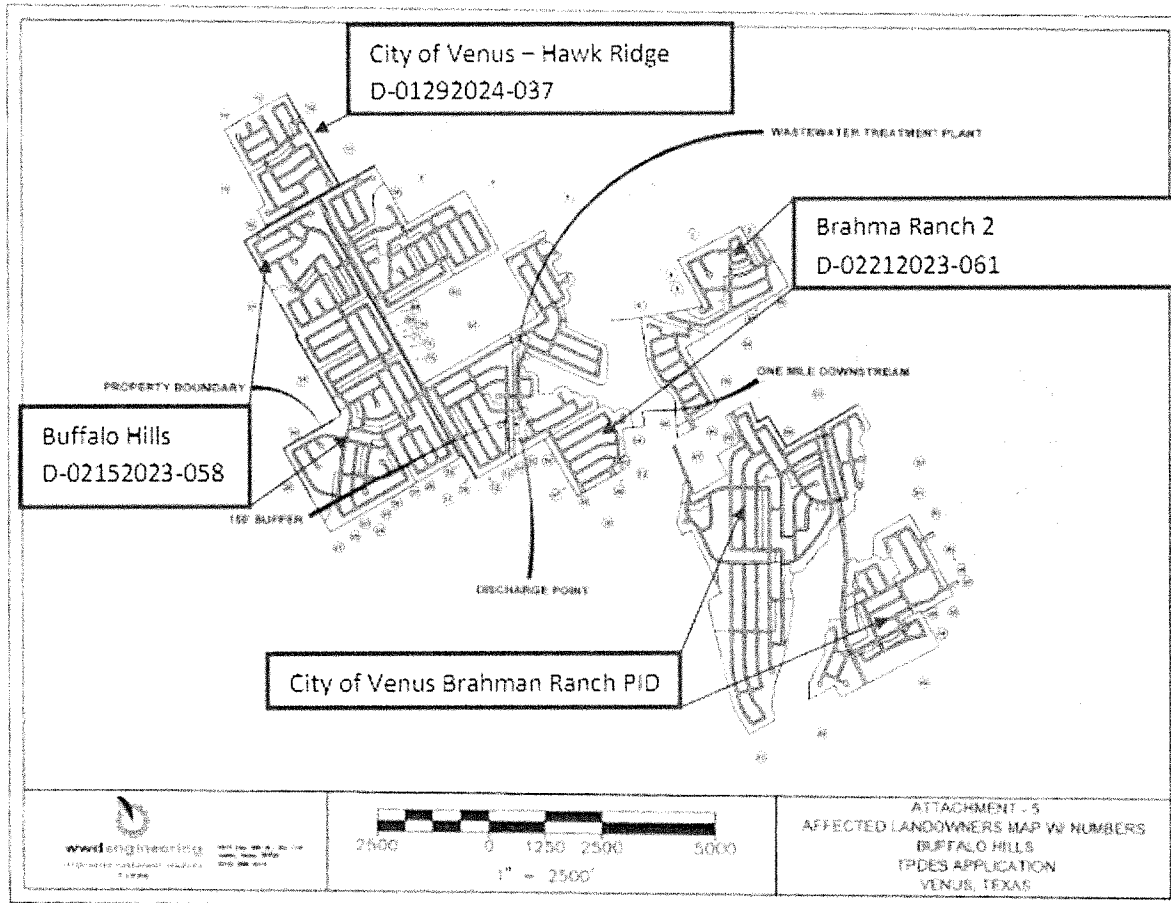
Applicant states none of the subdivisions property is within an incorporated city. This is false. 87.89 acres of the Buffalo Hills subdivision is/was in the City Limits of Venus Tx, and is in the wastewater service area for the City of Venus.

Applicant states there are 2 subdivisions that this permit will provide service for. Applicants own maps show different. Maps supplied with this permit show Buffalo Hills, Brahman Ranch 2, and Brahman Ranch Public Improvement District for the City of Venus.

The updates to the application requiring Nuisance Oder Control, and De chlorination were not updated.

No documentation/justification for the volume requirements for this plant were provided. ie. LUE's. The justification should include each phase and LUE per phase. How can the TCEQ verify that the necessary controls for the plant are adequate if it cannot review that the actual calculations are correct?

All of the subdivisions have access to the TRA's Mountain Creek Regional Wastewater System, utilizing collection through the City of Venus who is a partner in the regional plant.



Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Wednesday, October 9, 2024 3:02 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Robyn Farrell.pdf

H

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: robynfarrrell1979@gmail.com <robynfarrrell1979@gmail.com>
Sent: Tuesday, October 8, 2024 3:04 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

NAME: Robyn Farrell

EMAIL: robynfarrrell1979@gmail.com

COMPANY: Robyn Farrell

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 9727238726

FAX:

COMMENTS: See attached

Robyn Farrell
1308 Ozro Rd.
Venus, Tx 76084

Laurie Gharis, Chief Clerk
Office of the Chief Clerk, MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

In Re: Application for Buffalo Hills LLC, for proposed Texas Pollutant Discharge Elimination

System (TPDES) Permit No. WQ0016216001

Attn: Chief Clerk Gharis

I offer the below comments

I am an affected person within the definition of that term by the Texas Administration Code:

My property is located at 1308 Ozro Road, consisting of approximately 38 acres. The confluence of Boggy Branch and Armstrong Creek is on my property. Both creeks cross my property from the north property line to the south property line.

I am respectfully requesting that this application be reviewed again and Draft Permit be revoked.. I truly believe this application slipped through the review cracks. This application has many omissions, fields left blank and does not meet the requirement standards for Draft Permit Approval.

From the application

The Justification and descriptions of the service needs for this plant are grossly inadequate. None of them state the number of houses to be serviced, or the number of acres in the subdivisions. This is throughout the application every where this information is required..

The SPIF is also missing information with many questions being left unanswered, partially answered or left blank. No city or county information provided. #6 left blank construction impacts. #7 left blank disturbances to vegetation. #8 left blank. #9 left blank.

Domestic Administrative Report 1.1

Buffer zone map not complete. Buffer zone not clearly noted on map. There are no treatment units depicted. Distance from each treatment unit to property boundaries not depicted on map as required.

Domestic Technical Report 1.0

Section 2. C Flow Diagrams- there are not flow diagrams for each phase. Attachment 12

Section 3. Site drawing is inadequate. Attachment 13. Name and description are inadequate.

Section 8. Operator only has a class A License

Domestic Technical Report 1.1

B. Regionalization

1. There is a portion in an incorporated city (600+/-acres) in the City of Venus. No correspondence from city provided.

3. Attachment 15 states no WWTP's found, no map or the requested information provided.

However the applicant did contact the City of Venus requesting acceptance to or the expansion of their WWTP(1 mile away) to accommodate **3.94 MILLION GALLONS PER DAY**. They list this as Attachment 16, but really is Attachment 14. This Letter was a check yes/no with no signature from any city official. In fact was signed by Ross S. Martin of Winstead representing applicant. Attachment 14

Applicant states no to the question of a collection system within 3 miles. The city of Venus has a trunk line approximately 1 mile north of this development. It flows to the TRA Regional Treatment Plant in Midlothian and services all of the City of Venus.

Section 5 Facility Site

A . 100 year floodplain

Answer was no, yet no description of protective measures were given. It is blank

If you decide not to review this application (which I pray you will) or after review you decide that this application as submitted and originally reviewed meets all TCEQ requirements for applications. Then I request the following.

I request a Contested Case Hearing for the above mentioned and the following:

The application should be denied for the following environmental, procedural and technical deficiencies pertaining to this application.

Environmental:

1. Contamination of my private water well from toxins including PFAS which this TPDES is not testing for, this is the only source for water I have
2. Contamination of the soil from PFAS transported id creek and floodwaters
3. My Grandchildren play, swim, and fish in these creeks, even in drought years there are multiple holding pools within the creeks. I am concerned about skin absorption and ingestion of toxins including PFAS.
4. Contamination of the fish in my stock ponds which we use for food. The pond is fed by receiving waters partially from Armstrong Creek and Boggy Branch.
5. This plant will contaminate the creek and affect all fish and aquatic life along with the entire ecosystem of these creeks. Including endangered species per Texas Parks and Wildlife.
6. The waterways in Ellis County have numerous endangered species, and migratory birds through this corridor and these have not been addressed.
7. Loss of wildlife habitat from the thousands of acres associated with this TPDES and the development it will service.
8. I will have the odor/smells and air pollutants from not just this plant but all 3 that are in very close proximity to each other and my farm

Flooding;

1. The amount of additional water from this TPDES and its development will increase flooding on my property

2. It will cause creek bank erosion, accumulation of sediment and expansion of the floodplain. This will cause loss of land from my property to the floodplain.

3. The loss of useable agricultural land will cause economic damages to my property

4. FEMA has not determined a Base Flood Elevation in this area, and there are no flow meters that establish current flow. It would be impossible to determine the flooding downstream without a comprehensive flood study which was not done.

5. There are no flood mitigation dams downstream to protect landowners and other communities.

6. The facility is in a floodplain but there are no controls in the application to protect the facility of flooding

The amount of sludge being contained onsite is too large for a floodplain

This TPDES is only one part of a multi-thousand acre development. The Master Plan includes approximately 4200 +/- acres including 3 TPDES pending, multiple pending MUD applications

This 4200 acre massive development MUST be reviewed as one. The environmental impacts including flooding on my property will be cumulative. The TPDES's for this entire development are 1 mile apart from each other. The acreage is all contiguous and will dump effluent and storm water into the same 2 creeks in the same watershed. My property will be affected by this entire development as both of these creeks Armstrong Creek and Boggy Branch merge on my property before heading downstream. All 3 TPDES requesting permits are not sufficient to handle the GPD of the portions of this development they are to service and all will require expansion.

Dams were not looked at

Effects of LOMR's were not looked at

Respectively,

Robyn Farrell

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Monday, January 30, 2023 9:19 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

H

From: robynfarrell1979@gmail.com <robynfarrell1979@gmail.com>
Sent: Monday, January 30, 2023 7:19 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Robyn Farrell

EMAIL: robynfarrell1979@gmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 9727238726

FAX:

COMMENTS: On behalf of several property owners on the mailing list-- We would like to request a public hearing regarding this facility

TCEQ Registration Form

October 08, 2024

④

BUFFALO HILLS DEVELOPMENT LLC PROPOSED WATER QUALITY PERMIT WQ0016216001

PLEASE PRINT

Name: Robyn Farrell

Mailing Address: 1308 OZROD

Physical Address (if different): ↓

City/State: Venus TX Zip: 76084

****This information is subject to public disclosure under the Texas Public Information Act****

Email: _____

Phone Number: () _____

- Are you here today representing a municipality, legislator, agency, or group? ☐ Yes ☐ No

If yes, which one? _____

☐ Please add me to the mailing list.

☒ I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.

☐ I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Monday, March 20, 2023 9:49 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016216001

PM

From: robynfarrell1979@gmail.com <robynfarrell1979@gmail.com>
Sent: Sunday, March 19, 2023 10:38 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Robyn Farrell

EMAIL: robynfarrell1979@gmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 9727238726

FAX:

COMMENTS: Correction for comment dated 1/30/2023. We are requesting a PUBLIC MEETING.

Vincent Redondo

From: PUBCOMMENT-OCC
Sent: Friday, November 1, 2024 4:49 PM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: 1308 Ozro Rd.pdf

From: robynfarrrell1979@gmail.com <robynfarrrell1979@gmail.com>
Sent: Thursday, October 31, 2024 9:44 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

NAME: Robyn Farrell

EMAIL: robynfarrrell1979@gmail.com

COMPANY: Robyn Farrell Special

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

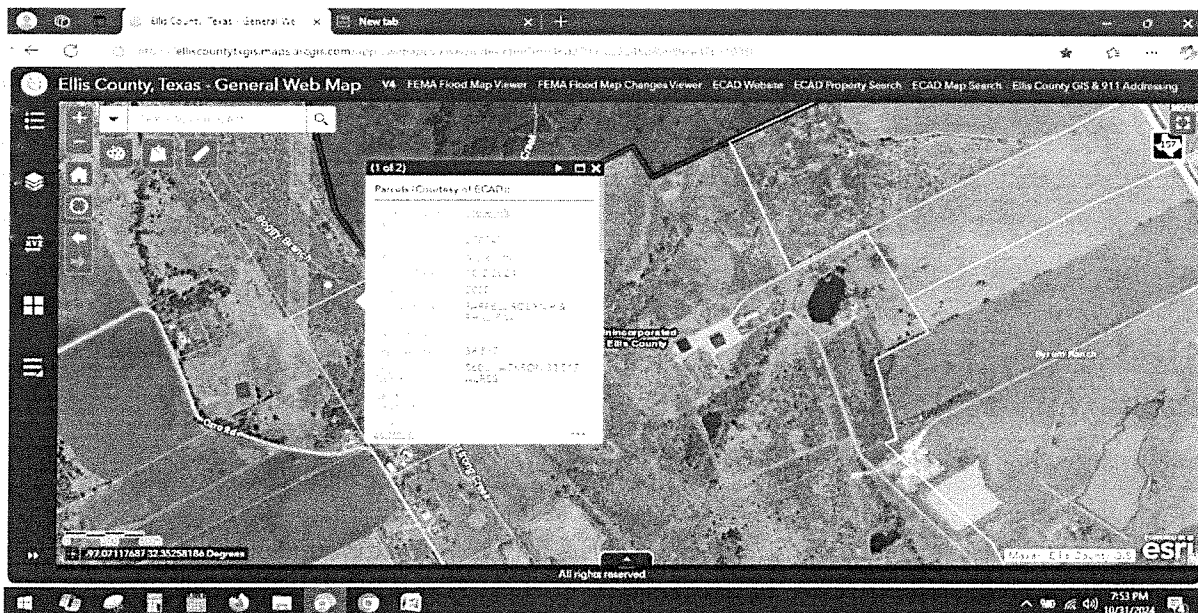
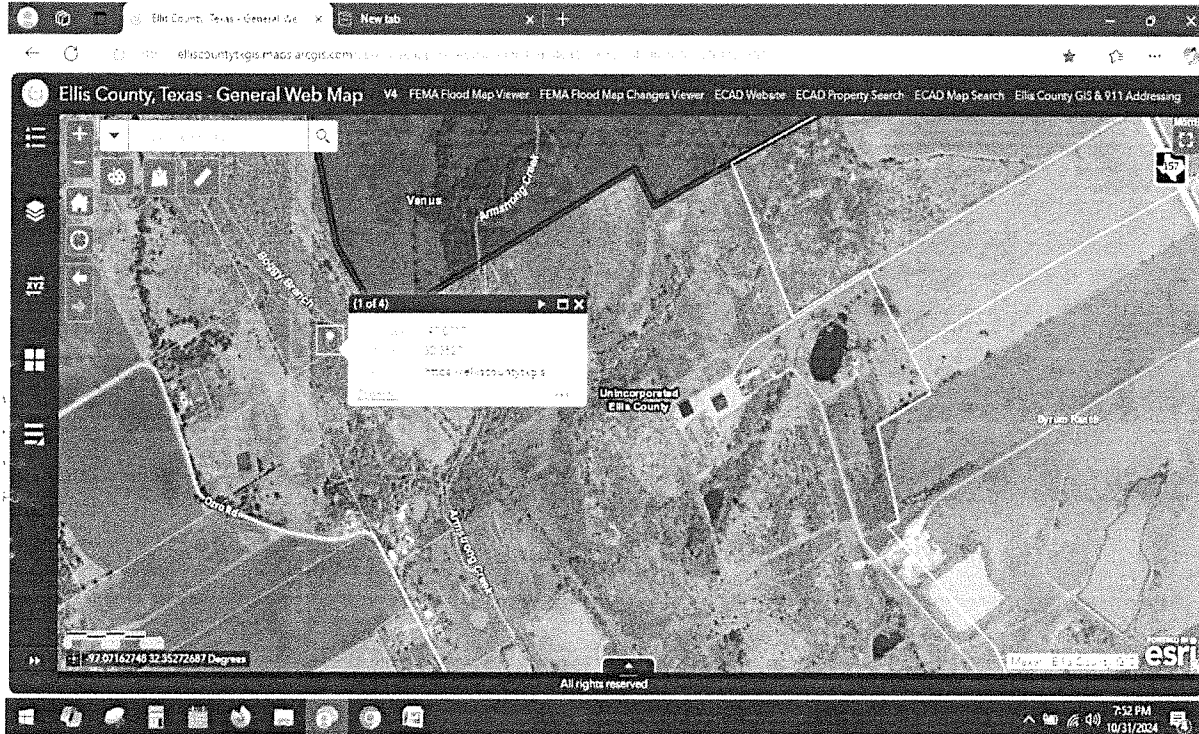
PHONE: 9727238726

FAX:

COMMENTS: See attached

WQ 0016216001 Buffalo Hills

While at a TCEQ Public Meeting I spoke to a representative from the ED regarding maps created by the ED. Those maps use the Postal Service mailing address instead of the property boundaries closest to the facility and the entrance of the discharge route on our property. I was instructed to bring this to the attention of the ED so here is the accurate information that should be used in ED maps when determining affected persons. The ED combines comments for all of the "1308 Ozro Rd property" which includes Robyn Farrell, Phillip Farrell Sr., Rene Griffin, Nick Griffin, Gabriel Griffin, Jacob Griffin, Phillip Farrell Jr., Hayden Farrell, and Maliya Farrell collectively.



WQ
129732

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Monday, November 14, 2022 10:49 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

From: robynfarrrell1979@gmail.com <robynfarrrell1979@gmail.com>
Sent: Sunday, November 13, 2022 10:01 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Robyn Farrell

EMAIL: robynfarrrell1979@gmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 2148508214

FAX:

COMMENTS: The discharge from this faculty, along with the Storm Water Dumps from 1800+ houses will increase the Base flood levels and flow of the flood plain through my property, and downstream. This will gravely affect many property owners, farmers and ranchers. There have been no studies on downstream impact.

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Monday, November 14, 2022 10:49 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

From: robynfarrell1979@gmail.com <robynfarrell1979@gmail.com>
Sent: Sunday, November 13, 2022 10:00 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Robyn Farrell

EMAIL: robynfarrell1979@gmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 2148508214

FAX:

COMMENTS: Boggy Branch through my property has several holding pools that my family "children and grand children" utilizes for swimming, fishing, family reunions, and the enjoyment of our Natural Resources. The pooling areas will accumulate pollutants making them hazardous for my family.

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Monday, November 14, 2022 10:49 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

From: robynfarrell1979@gmail.com <robynfarrell1979@gmail.com>
Sent: Sunday, November 13, 2022 9:59 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Robyn Farrell

EMAIL: robynfarrell1979@gmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 2148508214

FAX:

COMMENTS: I have one fish pond sustained by waters from Boggy Branch, One fish pond under construction sustained by waters from Boggy Branch. One planned fish pond that will be sustained by Armstrong Creek. These ponds are for agricultural use, family recreation, and fishing for human consumption. Pollutants from the proposed Sewer Treatment Plant would gravely affect the current use of my ponds.

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Monday, November 14, 2022 10:48 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

From: robynfarrell1979@gmail.com <robynfarrell1979@gmail.com>
Sent: Sunday, November 13, 2022 9:57 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Robyn Farrell

EMAIL: robynfarrell1979@gmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 2148508214

FAX:

COMMENTS: Brahman Ranch 1 & 2 is a development in the City Limits of Venus Texas. According to the application, the City of Venus was asked to accept its own waste of 3.94 million gallons per day. They said no?? They should accept their own City's Sewage or expand their facility. The Application should not be in the name of Buffalo Hills as this is development not approved and is planned 5 years or more in the future, and not in the city limits. It is actually for a

development already under construction within the city limits. The City will pay for and own this facility and should submit for permit under the City of Venus, showing the correct location.

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Monday, November 14, 2022 10:47 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

From: robynfarrell1979@gmail.com <robynfarrell1979@gmail.com>
Sent: Sunday, November 13, 2022 9:56 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Robyn Farrell

EMAIL: robynfarrell1979@gmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 2148508214

FAX:

COMMENTS: The Sewer Plant location as requested is in very close proximity downstream on Boggy Branch from a Conservation Lake. No consideration was given to failure of its earthen dam, and the damage to this facility and its infrastructure

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Monday, November 14, 2022 10:46 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

From: robynfarrell1979@gmail.com <robynfarrell1979@gmail.com>
Sent: Sunday, November 13, 2022 9:55 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Robyn Farrell

EMAIL: robynfarrell1979@gmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 2148508214

FAX:

COMMENTS: Location of Facility greatly impacts my property --The application states it is for one addition Buffalo Hills. It is actually for Brahman Ranch 1 & 2. Development for 1800+ residential lots approximately 60x120, utilizing a lift station not on the application, that will have to pump sewage approximately 2 miles+ and under FM 2258. It will transport sewage across the 100 year Flood Plain of Armstrong Creek, also not on application, and depending of

transport route possibly the 100 year Flood Plain of Boggy Branch. If the Sewage Plant is located in Brahman Ranch 1 & 2 the discharge point would have to be into Armstrong Creek, which changes all aspects of the facility.

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Monday, November 14, 2022 10:46 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

From: robynfarrell1979@gmail.com <robynfarrell1979@gmail.com>
Sent: Sunday, November 13, 2022 9:54 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Robyn Farrell

EMAIL: robynfarrell1979@gmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 2148508214

FAX:

COMMENTS: Location of Facility greatly impacts my property --The application states it is for one addition Buffalo Hills. It is actually for Brahman Ranch 1 & 2. Development for 1800+ residential lots approximately 60x120, utilizing a lift station not on the application, that will have to pump sewage approximately 2 miles+ and under FM 2258. It will transport sewage across the 100 year Flood Plain of Armstrong Creek, also not on application, and depending of

transport route possibly the 100 year Flood Plain of Boggy Branch. If the Sewage Plant is located in Brahman Ranch 1 & 2 the discharge point would have to be into Armstrong Creek, which changes all aspects of the facility.

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Monday, November 14, 2022 10:44 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

From: robynfarell1979@gmail.com <robynfarell1979@gmail.com>
Sent: Sunday, November 13, 2022 9:50 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Robyn Farrell

EMAIL: robynfarell1979@gmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 2148508214

FAX:

COMMENTS: Location of Facility greatly impacts my property--Location of this Sewer Facility is in question. The application shows a map with an approximate location of 0.4 miles N of intersection CR 213 and FM 2258, In the Buffalo Hills Addition. In a committee meeting held 11/9/2022, officials stated the facility will be located south of FM 2258 in the Brahman Ranch Addition. They also stated the pad has been poured and construction will begin December 1st.

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Monday, November 14, 2022 10:45 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

From: robynfarell1979@gmail.com <robynfarell1979@gmail.com>
Sent: Sunday, November 13, 2022 9:52 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Robyn Farrell

EMAIL: robynfarell1979@gmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 2148508214

FAX:

COMMENTS: Location of Facility greatly impacts my property --The application states it is for one addition Buffalo Hills. It is actually for Brahman Ranch 1 & 2. Development for 1800+ residential lots approximately 60x120, utilizing a lift station not on the application, that will have to pump sewage approximately 2 miles+ and under FM 2258. It will transport sewage across the 100 year Flood Plain of Armstrong Creek, also not on application, and depending of

transport route possibly the 100 year Flood Plain of Boggy Branch. If the Sewage Plant is located in Brahman Ranch 1 & 2 the discharge point would have to be into Armstrong Creek, which changes all aspects of the facility.

Tammy Johnson

From: PUBCOMMENT-OCC
Sent: Thursday, April 24, 2025 10:32 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Gabriel Griffin.pdf

RFR
H

From: robynfarell1979@gmail.com <robynfarell1979@gmail.com>
Sent: Wednesday, April 23, 2025 6:17 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

NAME: Gabriel Griffn

EMAIL: robynfarell1979@gmail.com

COMPANY:

ADDRESS: 1308 ozro rd
Venus, TX 76084

PHONE: 8173139366

FAX:

COMMENTS: see attached

Gabriel Griffin
1308 Ozro Rd.
Venus, Tx 76084

Laurie Gharis, Chief Clerk
Office of the Chief Clerk, MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

In Re: Application for Buffalo Hills LLC, for proposed Texas Pollutant Discharge Elimination

System (TPDES) Permit No. WQ0016216001

Attn: Chief Clerk Gharis

I offer the below comments and request Reconsideration. If this permit is not denied under Reconsideration, I respectfully request the TCEQ to use comments I submitted on 10-8-2024 and those listed here as my official request for a Contested Case Hearing

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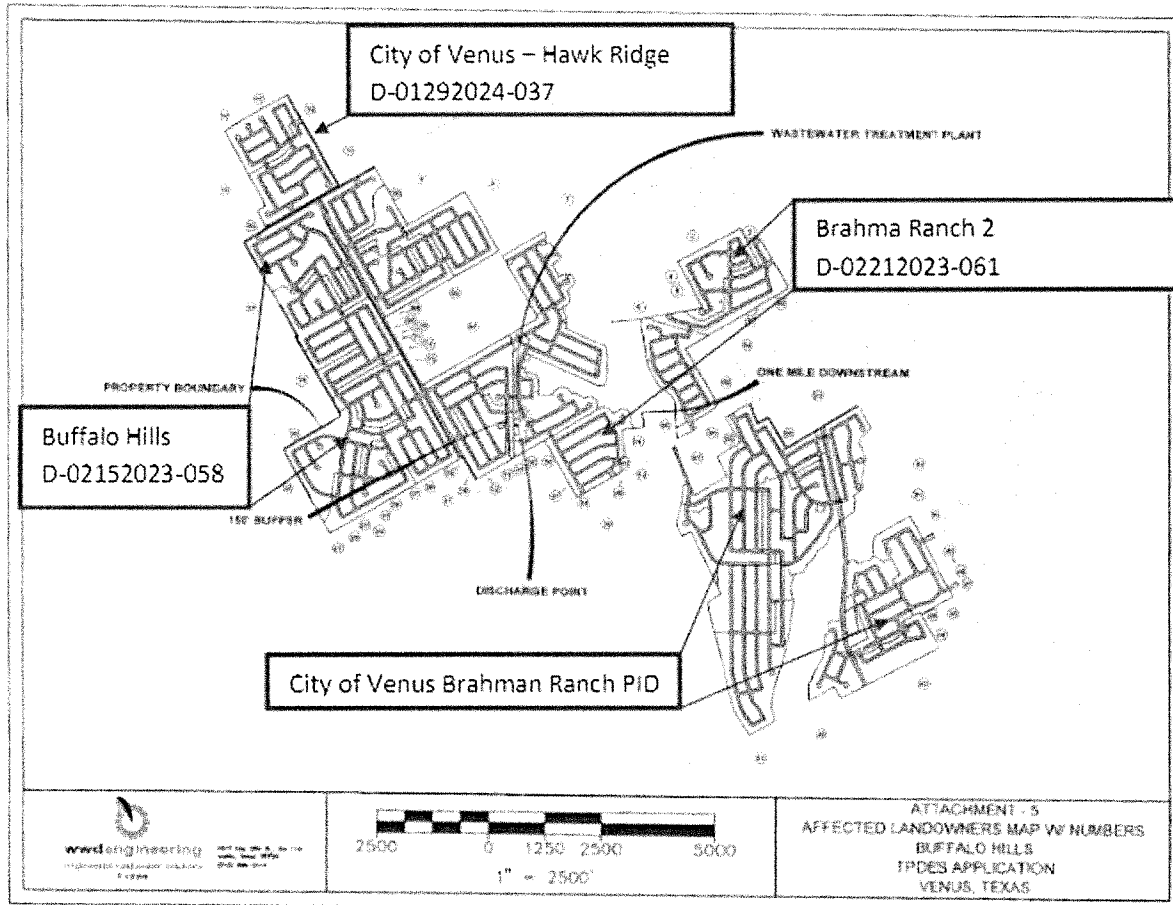
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To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Gabriel Griffin.pdf

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Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

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From: nickgriffin8484@gmail.com <nickgriffin8484@gmail.com>
Sent: Tuesday, October 8, 2024 3:11 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

NAME: Gabriel Griffin

EMAIL: nickgriffin8484@gmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 9727238726

FAX:

COMMENTS: See attached

Gabriel Griffin
1308 Ozro Rd.
Venus, Tx 76084

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Office of the Chief Clerk, MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

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System (TPDES) Permit No. WQ0016216001

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Tammy Johnson

From: PUBCOMMENT-OCC
Sent: Thursday, April 24, 2025 10:32 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Jacob Griffin.pdf

RFR
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From: robynfarrell1979@gmail.com <robynfarrell1979@gmail.com>
Sent: Wednesday, April 23, 2025 6:20 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

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PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

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CN NUMBER: CN606057081

NAME: Jacob Griffn

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COMPANY:

ADDRESS: 1308 ozro rd
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PHONE: 8173139366

FAX:

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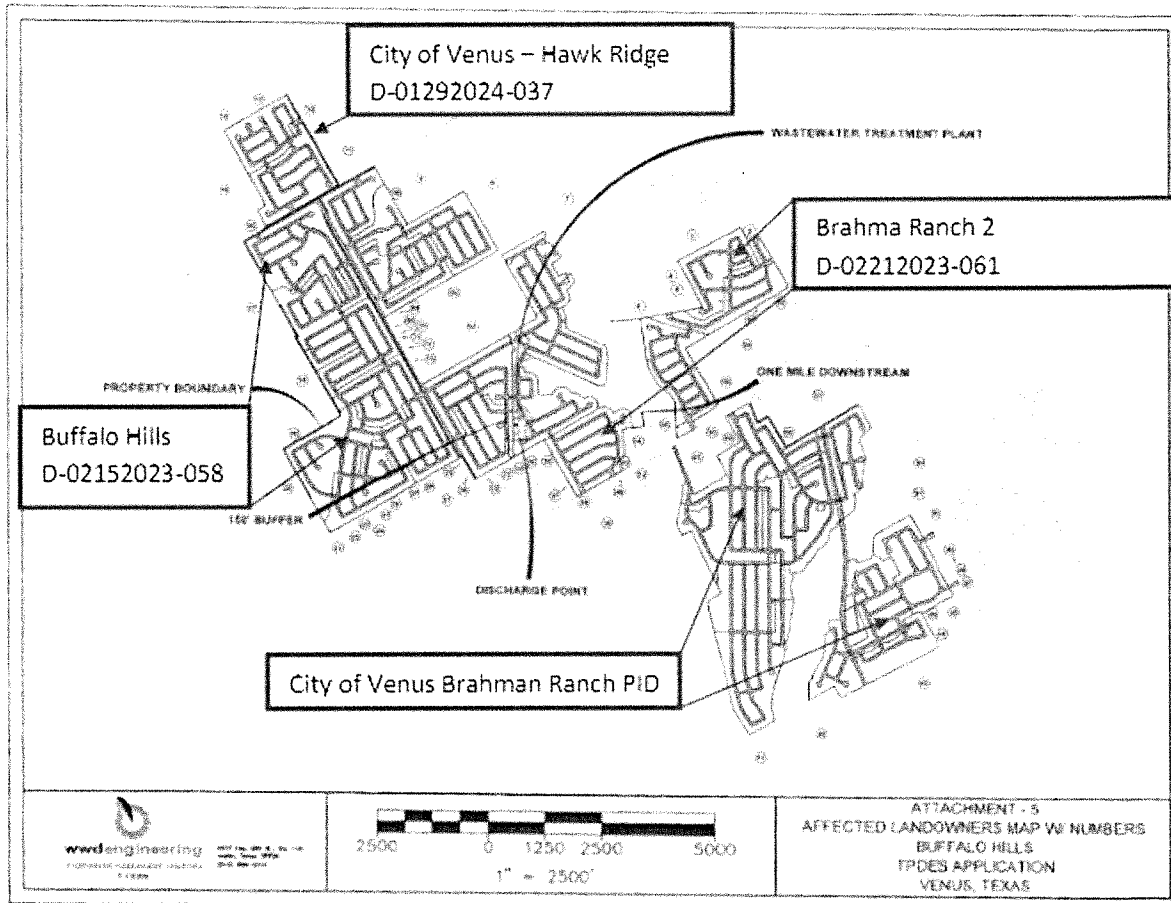
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Sent: Tuesday, October 8, 2024 3:12 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
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Ellie Guerra

From: PUBCOMMENT-OCC
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To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

PM

From: rene.farrell@hotmail.com <rene.farrell@hotmail.com>
Sent: Saturday, April 1, 2023 5:23 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

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RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Jacob Griffin

EMAIL: rene.farrell@hotmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 8173139366

FAX:

COMMENTS: I would like to request a public meeting

Tammy Johnson

From: PUBCOMMENT-OCC
Sent: Thursday, April 24, 2025 10:34 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Nick Griffin.pdf

RFR
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From: robynfarell1979@gmail.com <robynfarell1979@gmail.com>
Sent: Wednesday, April 23, 2025 8:02 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

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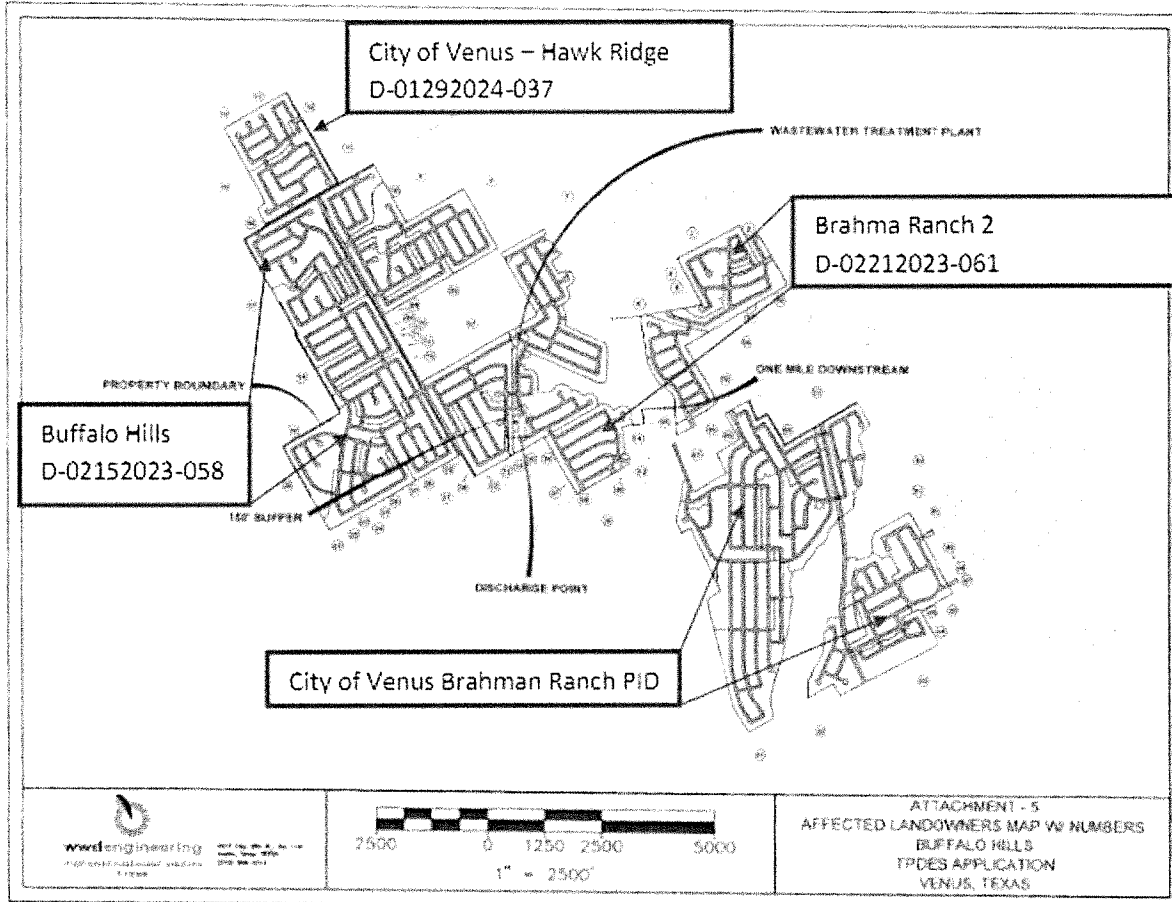
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Office Phone: 512-239-3319

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Sent: Tuesday, October 8, 2024 3:09 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
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1. Contamination of my private water well from toxins including PFAS which this TPDES is not testing for, this is the only source for water I have
2. Contamination of the soil from PFAS transported in the creeks and floodwaters
3. My children play, swim, and fish in these creeks, even in drought years there are multiple holding pools within the creeks. I am concerned about skin absorption and ingestion of toxins including PFAS.
4. Contamination of the fish in my stock ponds which we use for food. The pond is fed by receiving waters partially from Armstrong Creek and Boggy Branch.
5. This plant will contaminate the creek and affect all fish and aquatic life along with the entire ecosystem of these creeks. Including endangered species per Texas Parks and Wildlife.
6. The waterways in Ellis County have numerous endangered species, and migratory birds through this corridor and these have not been addressed.
7. Loss of wildlife habitat from the thousands of acres associated with this TPDES and the development it will service.
8. I will have the odor/smells and air pollutants from not just this plant but all 3 that are in very close proximity to each other and my farm

Flooding;

1. The amount of additional water from this TPDES and its development will increase flooding on my property
2. It will cause creek bank erosion, accumulation of sediment and expansion of the floodplain. This

will cause loss of land from my property to the floodplain.

3. The loss of useable agricultural land will cause economic damages to my property

4. FEMA has not determined a Base Flood Elevation in this area, and there are no flow meters that establish current flow. It would be impossible to determine the flooding downstream without a comprehensive flood study which was not done.

5. There are no flood mitigation dams downstream to protect landowners and other communities.

6. The facility is in a floodplain but there are no controls in the application to protect the facility of flooding

The amount of sludge being contained onsite is too large for a floodplain

This TPDES is only one part of a multi-thousand acre development. The Master Plan includes approximately 4200 +/- acres including 3 TPDES pending, multiple pending MUD applications

This 4200 acre massive development MUST be reviewed as one. The environmental impacts including flooding on my property will be cumulative. The TPDES's for this entire development are 1 mile apart from each other. The acreage is all contiguous and will dump effluent and storm water into the same 2 creeks in the same watershed. My property will be affected by this entire development as both of these creeks Armstrong Creek and Boggy Branch merge on my property before heading downstream. All 3 TPDES requesting permits are not sufficient to handle the GPD of the portions of this development they are to service and all will require expansion.

Dams were not looked at

Effects of LOMR's were not looked at

Respectively,

Nick Griffin

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Monday, April 3, 2023 9:21 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

PM

From: nickgriffin8484@gmail.com <nickgriffin8484@gmail.com>
Sent: Saturday, April 1, 2023 5:26 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Nick Griffin

EMAIL: nickgriffin8484@gmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 6827028877

FAX:

COMMENTS: I would like to request a public meeting

Tammy Johnson

From: PUBCOMMENT-OCC
Sent: Thursday, April 24, 2025 10:35 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Rene Griffin.pdf

RFR
H

From: robynfarrell1979@gmail.com <robynfarrell1979@gmail.com>
Sent: Wednesday, April 23, 2025 8:03 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

NAME: Rene Griffn

EMAIL: robynfarrell1979@gmail.com

COMPANY:

ADDRESS: 1308 ozro rd
Venus, TX 76084

PHONE: 8173139366

FAX:

COMMENTS: See attached

Rene Griffin
1308 Ozro Rd.
Venus, Tx 76084

Laurie Gharis, Chief Clerk
Office of the Chief Clerk, MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

In Re: Application for Buffalo Hills LLC, for proposed Texas Pollutant Discharge Elimination
System (TPDES) Permit No. WQ0016216001

Attn: Chief Clerk Gharis

I offer the below comments and request Reconsideration. If this permit is not denied under Reconsideration, I respectively request the TCEQ to use comments I submitted on 10-8-2024 and those listed here as my official request for a Contested Case Hearing

The information I am providing is from a Public Information Request dated 3/28/2025 and received 4/9/2025 and 4/16/2025 as well as a personal review of the documents located in Ellis County at the location designated by the applicant on 4/17/2025. **This applicant violated the TCEQ's Public Participation Plan.**

Public Notice:

There was only one Publishers Affidavit for the NORI and it was for Johnson County. No Publishers Affidavit for the NORI for Ellis County.

There was only one Publishers Affidavit for the Combined Notice of Preliminary Decision, Public Meeting and *** new Notice of Receipt and Intent for Ellis County. No Publishers Affidavit for Combined Notice for Johnson County.

Only the original application was made available for viewing and copying by the public in Ellis County, at the designated location stated by the applicant. Failure to notify the public happened throughout this applications process.

All documents requested in Notice of Deficiencies were not supplied. The documents that were supplied were not added to the documents available for public viewing in Ellis County. The applicant did not provide a corrected request for service, nor was it made available for public viewing.

The updates to the application requiring Nuisance Oder Control, and De chlorination were not updated and made available to the public

Application:

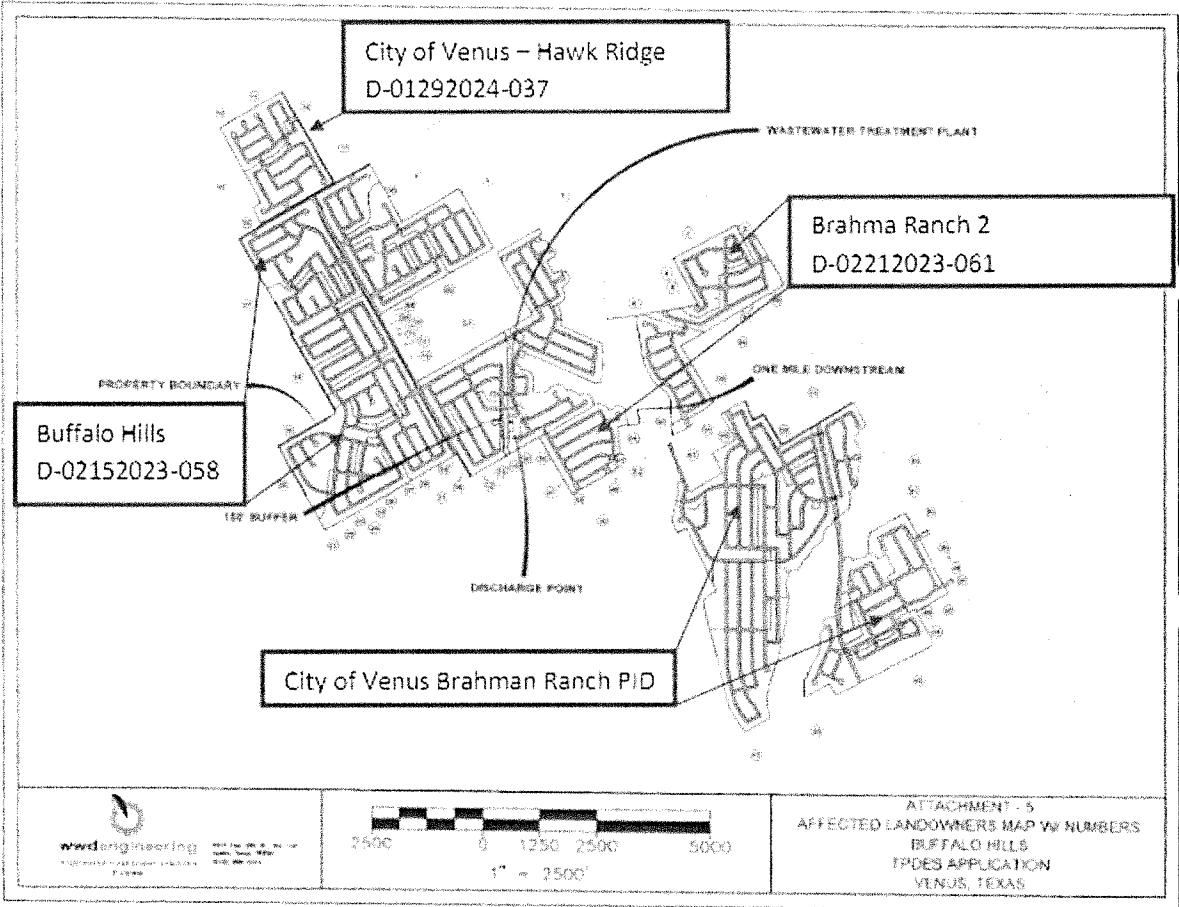
Applicant states none of the subdivisions property is within an incorporated city. This is false. 87.89 acres of the Buffalo Hills subdivision is/was in the City Limits of Venus Tx, and is in the wastewater service area for the City of Venus.

Applicant states there are 2 subdivisions that this permit will provide service for. Applicants own maps show different. Maps supplied with this permit show Buffalo Hills, Brahman Ranch 2, and Brahman Ranch Public Improvement District for the City of Venus.

The updates to the application requiring Nuisance Oder Control, and De chlorination were not updated.

No documentation/justification for the volume requirements for this plant were provided. ie. LUE's. The justification should include each phase and LUE per phase. How can the TCEQ verify that the necessary controls for the plant are adequate if it cannot review that the actual calculations are correct?

All of the subdivisions have access to the TRA's Mountain Creek Regional Wastewater System, utilizing collection through the City of Venus who is a partner in the regional plant.



Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Wednesday, October 9, 2024 3:04 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Rene Griffin.pdf

H

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: rene.farrell@hotmail.com <rene.farrell@hotmail.com>
Sent: Tuesday, October 8, 2024 3:07 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

NAME: Rene Griffin

EMAIL: rene.farrell@hotmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 9727238726

FAX:

COMMENTS: See attached

Rene Griffin
1308 Ozro Rd.
Venus, Tx 76084

Laurie Gharis, Chief Clerk
Office of the Chief Clerk, MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

In Re: Application for Buffalo Hills LLC, for proposed Texas Pollutant Discharge Elimination

System (TPDES) Permit No. WQ0016216001

Attn: Chief Clerk Gharis

I offer the below comments

I am an affected person within the definition of that term by the Texas Administration Code:

My property is located at 1308 Ozro Road, consisting of approximately 38 acres. The confluence of Boggy Branch and Armstrong Creek is on my property. Both creeks cross my property from the north property line to the south property line.

I am respectfully requesting that this application be reviewed again and Draft Permit be revoked. This application has many omissions, fields left blank and does not meet the requirement standards for Draft Permit Approval.

From the application

The Justification and descriptions of the service needs for this plant are grossly inadequate. None of them state the number of houses to be serviced, or the number of acres in the subdivisions. This is throughout the application every where this information is required..

The SPIF is also missing information with many questions being left unanswered, partially answered or left blank. No city or county information provided. #6 left blank construction impacts. #7 left blank disturbances to vegetation. #8 left blank. #9 left blank.

Domestic Administrative Report 1.1

Buffer zone map not complete. Buffer zone not clearly noted on map. There are no treatment units depicted. Distance from each treatment unit to property boundaries not depicted on map as required.

Domestic Technical Report 1.0

Section 2. C Flow Diagrams- there are not flow diagrams for each phase. Attachment 12

Section 3. Site drawing is inadequate. Attachment 13. Name and description are inadequate.

Section 8. Operator only has a class A License

Domestic Technical Report 1.1

B. Regionalization

1. There is a portion in an incorporated city (600+/-acres) in the City of Venus. No correspondence from city provided.
3. Attachment 15 states no WWTP's found, no map or the requested information provided.

However the applicant did contact the City of Venus requesting acceptance to or the expansion of their WWTP (1 mile away) to accommodate **3.94 MILLION GALLONS PER DAY**. They list this as Attachment 16, but really is Attachment 14. This Letter was a check yes/no with no signature from any city official. In fact was signed by Ross S. Martin of Winstead representing applicant. Attachment 14

Applicant states no to the question of a collection system within 3 miles. The city of Venus has a trunk line approximately 1 mile north of this development. It flows to the TRA Regional Treatment Plant in Midlothian and services all of the City of Venus.

Section 5 Facility Site

A . 100 year floodplain

Answer was no, yet no description of protective measures were given. It is blank

If you decide not to review this application (which I pray you will) or after review you decide that this application as submitted and originally reviewed meets all TCEQ requirements for applications. Then I request the following.

I request a Contested Case Hearing for the above mentioned and the following:

The application should be denied for the following environmental, procedural and technical deficiencies pertaining to this application.

Environmental:

1. Contamination of my private water well from toxins including PFAS which this TPDES is not testing for, this is the only source for water I have
2. Contamination of the soil from PFAS transported in the creeks and floodwaters
3. My children play, swim, and fish in these creeks, even in drought years there are multiple holding pools within the creeks. I am concerned about skin absorption and ingestion of toxins including PFAS.
4. Contamination of the fish in my stock ponds which we use for food. The pond is fed by receiving waters partially from Armstrong Creek and Boggy Branch.
5. This plant will contaminate the creek and affect all fish and aquatic life along with the entire ecosystem of these creeks. Including endangered species per Texas Parks and Wildlife.
6. The waterways in Ellis County have numerous endangered species, and migratory birds through this corridor and these have not been addressed.
7. Loss of wildlife habitat from the thousands of acres associated with this TPDES and the development it will service.
8. I will have the odor/smells and air pollutants from not just this plant but all 3 that are in very close proximity to each other and my farm

Flooding;

1. The amount of additional water from this TPDES and its development will increase flooding on my property
2. It will cause creek bank erosion, accumulation of sediment and expansion of the floodplain. This

will cause loss of land from my property to the floodplain.

3. The loss of useable agricultural land will cause economic damages to my property

4. FEMA has not determined a Base Flood Elevation in this area, and there are no flow meters that establishes current flow. It would be impossible to determine the flooding downstream without a comprehensive flood study which was not done.

5. There are no flood mitigation dams downstream to protect landowners and other communities.

6. The facility is in a floodplain but there are no controls in the application to protect the facility of flooding

The amount of sludge being contained onsite is too large for a floodplain

This TPDES is only one part of a multi-thousand acre development. The Master Plan includes approximately 4200 +/- acres including 3 TPDES pending, multiple pending MUD applications

This 4200 acre massive development MUST be reviewed as one. The environmental impacts including flooding on my property will be cumulative. The TPDES's for this entire development are 1 mile apart from each other. The acreage is all contiguous and will dump effluent and storm water into the same 2 creeks in the same watershed. My property will be affected by this entire development as both of these creeks Armstrong Creek and Boggy Branch merge on my property before heading downstream. All 3 TPDES requesting permits are not sufficient to handle the GPD of the portions of this development they are to service and all will require expansion.

Dams were not looked at

Affects of LOMR's were not looked at

Respectively,

Rene Griffin, RN

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Monday, April 3, 2023 9:21 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

PM

From: rene.farrell@hotmail.com <rene.farrell@hotmail.com>
Sent: Saturday, April 1, 2023 5:21 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Rene Griffin

EMAIL: rene.farrell@hotmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 8173139366

FAX:

COMMENTS: I would like to request a public meeting

Tammy Johnson

From: PUBCOMMENT-OCC
Sent: Wednesday, April 23, 2025 3:32 PM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Buffalo Hills sewer permit request for reconsid by MJ.pdf

RFR
H

From: DocMarty8@yahoo.com <DocMarty8@yahoo.com>
Sent: Wednesday, April 23, 2025 2:18 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

NAME: DR. Martha Johnson

EMAIL: DocMarty8@yahoo.com

COMPANY:

ADDRESS: 1017 Shady River Ct. N
Benbrook, TX 76126

PHONE: 8172476096

FAX:

COMMENTS: I request a reconsideration and a contested case hearing on this permit application

Dear Sirs,

*I am a person affected by TDPES PERMIT No. WQ00116216001 because my 177 acres are in agriculture adjacent to Cottonwood and North Chambers Creeks near their confluence. Use is completely limited to hay production in recent years because of the extensive flooding that occurs during moderately heavy rains. Some years the land is deeply submerged from 3-6 times, and road closures of FM 66 at the Maypearl bridge take place. No livestock can safely be grazed on the 177 acres due to the present risk of being swept away. Full access is limited by the presence of Cottonwood (aka East Fork of Chambers) and North Fork of Chambers Creeks. **My access with harvesting equipment will be hampered by sewer plant discharges into Armstrong Creek and then into Cottonwood Creek. My ability to lease my land for hay production will be harmed significantly when effluent is present and swelling the creeks.** Important riparian buffer contracts are in place on both creeks where hay production is not feasible. They incorporate over 62 acres, and each is 70 feet wide and over 4000 feet long. These contracts were established to serve as erosion control, and they also act as natural wildlife corridors.*

*For these reasons **I am an affected person and request a reconsideration of TDPES PERMIT No. WQ00116216001 for Buffalo Hills Development. I also request a contested case hearing.** Some important findings regarding this permit application include:*

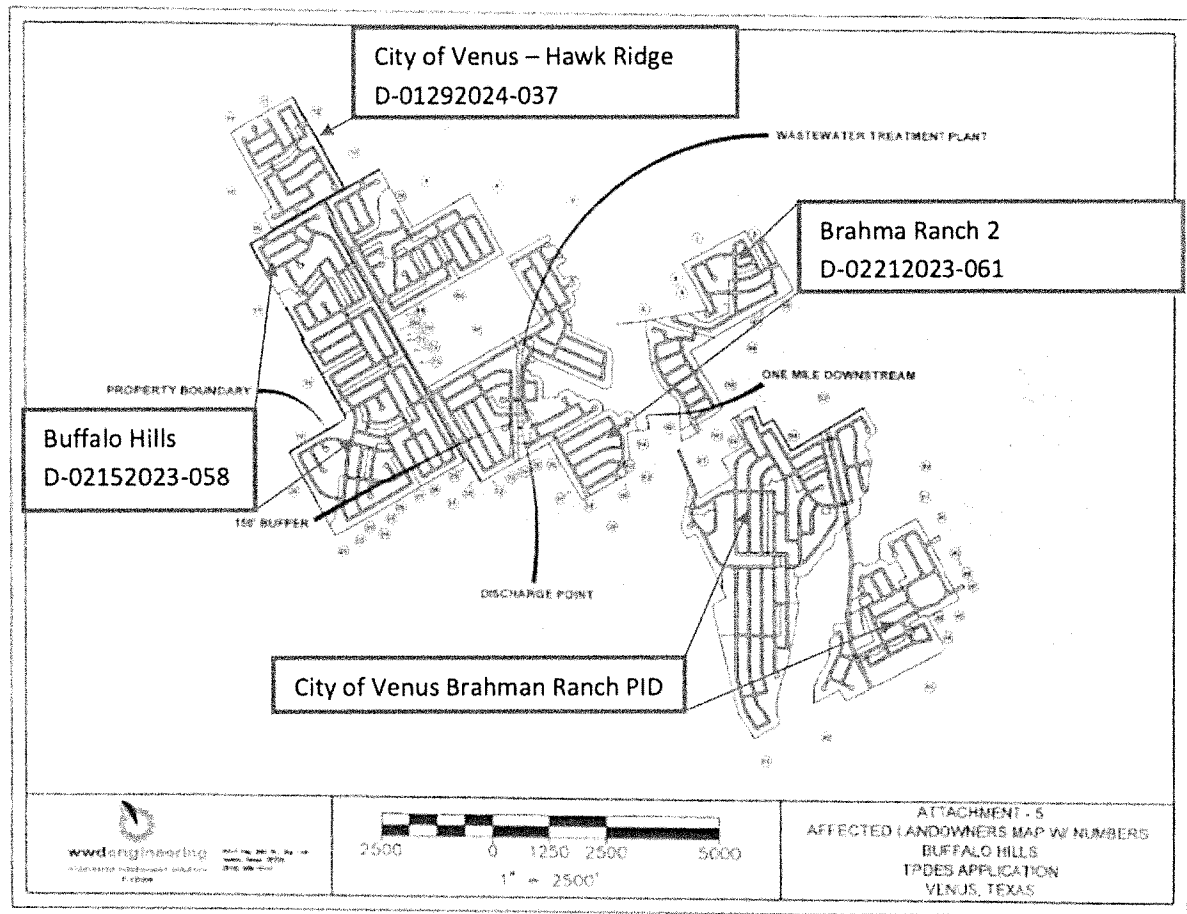
Public Notice:

1. There was only one Publishers Affidavit for the NORI and it was for Johnson County. No Publishers Affidavit for the NORI for Ellis County.
2. There was only one Publishers Affidavit for the Combined Notice of Preliminary Decision, Public Meeting and *** new Notice of Receipt and Intent for Ellis County. No Publishers Affidavit for Combined Notice for Johnson County.
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4. All documents requested in Notice of Deficiencies were not supplied. The documents that were supplied were not added to the documents available for public viewing in Ellis County. The applicant did not provide a corrected request for service, nor was it made available for public viewing.
5. The updates to the application requiring Nuisance Odor Control, and De chlorination were not updated and made available to the public

Application:

6. Applicant states none of the subdivisions property is within an incorporated city. This is false. 87.89 acres of the Buffalo Hills subdivision is/was in the City Limits of Venus Tx, and is in the wastewater service area for the City of Venus.
7. Applicant states there are 2 subdivisions that this permit will provide service for. Applicant's own maps show otherwise. Maps supplied with this permit show Buffalo

Hills, Brahman Ranch 2, and Brahman Ranch Public Improvement District for Venus.



8. The updates to the application requiring Nuisance Oder Control, and De chlorination were not updated.
9. No documentation/justification for the volume requirements for this plant were provided. ie. LUE's. How can the TCEQ verify that the necessary controls for the plant are adequate if it cannot verify the actual calculations are correct.
10. All of the subdivisions have access to the TRA Regional Plant in Midlothian through the City of Venus who is a partner in the regional plant.

Thank you for consideration of my requests,
Sincerely,
Dr. Martha Johnson

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Monday, March 20, 2023 1:26 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

PM

From: martyj278@gmail.com <martyj278@gmail.com>
Sent: Monday, March 20, 2023 12:07 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Martha Johnson

EMAIL: martyj278@gmail.com

COMPANY:

ADDRESS: 1017 SHADY RIVER CT N
BENBROOK TX 76126-2900

PHONE: 8172476096

FAX:

COMMENTS: I request a public meeting

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Tuesday, March 21, 2023 11:26 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

From: martyj278@gmail.com <martyj278@gmail.com>
Sent: Monday, March 20, 2023 9:41 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: Martha Johnson

EMAIL: martyj278@gmail.com

COMPANY:

ADDRESS: 1017 SHADY RIVER CT N
BENBROOK TX 76126-2900

PHONE: 8172476096

FAX:

COMMENTS: I am very concerned about the downstream flooding that will be exacerbated by the addition of sewer effluent and storm water to creeks upstream of Cottonwood Creek and North Chambers Creek. Road closure of FM 66 @ FM 916 is nearly routine during average rains because of storm runoff northwest of Maypearl. Barton Road, Smith Road, Old Maypearl Road, and now Ozro Road @ 157 are also frequently impassible. Any additional flow from any

source will endanger citizens and livestock, and our livelihood will be further impacted. Flood control needs to be addressed now before upstream housing developments can be completed!

Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Wednesday, October 9, 2024 3:01 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Ellis County Request CCH re Buffalo Hills Development, LLC TPDES (Second Request)1.pdf

H

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: rfburk@bickerstaff.com <rfburk@bickerstaff.com>
Sent: Tuesday, October 8, 2024 1:13 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

NAME: Emily Rogers

EMAIL: rfburk@bickerstaff.com

COMPANY: Bickerstaff Heath Delgado Acosta LLP

ADDRESS: Two Barton Skyway 1601 S MoPac Expwy Ste C400
Austin TX 78746

PHONE: 5124728021

FAX:

COMMENTS: Please see attached letter.



October 8, 2024

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

Re: Application by Buffalo Hills Development, LLC to the Texas Commission on Environmental Quality for new Texas Commission Elimination System ("TPDES") Permit No. WQ0016216001

Dear Chief Clerk Gharis:

The County of Ellis, Texas (the "County") offers the below comments and formally re-urges its request for a contested case hearing on the above-referenced application. Please direct all future correspondence on this application to Emily Rogers, attorney for the County, at Two Barton Skyway, 1601 S. MoPac Expressway, Suite C400, Austin, TX 78746. Our daytime phone number is (512) 472-8021 and fax number is (512) 320-5638.

Buffalo Hills Development, LLC ("Buffalo Hills" or "Applicant") applied to the Texas Commission on Environmental Quality ("TCEQ") for new TPDES Permit No. WQ0016216001 (the "Application"), seeking to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 850,000 gallons per day. The County is an affected person within the definition of that term by the Texas Administrative Code and opposes the issuance of the permit for the following reasons.

I. The County is an Affected Person.

The County is an "affected person" entitled to a contested case hearing on the issues raised in this hearing request under 30 TEX. ADMIN. CODE § 55.203 because the County has interests related to legal rights, duties, privileges, powers, or economic interests affected by the application that are not common to the general public. Local governmental entities, such as the County, with authority under state law over issues contemplated by an application, may be considered affected persons under 30 TEX. ADMIN. CODE § 55.203. The County has authority over various functions – including but not limited to transportation, emergency services, and health and safety – that may be affected by the proposed wastewater treatment plant and associated discharge into a tributary within the County that the Application fails to properly address. Potential contamination of surface water within the region may impact the County's ability to effectively provide emergency services, may impact health and safety by lowering water quality, and may negatively impact the County's infrastructure.

Moreover, as a local government, the County has specific statutory authority to inspect the public water in its jurisdiction to assess whether the quality of the water meets water quality standards, and to determine whether wastewater dischargers are discharging in compliance with the requirements of a TCEQ-issued permit. Texas Water Code § 26.171. The County also has authority to enter property to make inspections and investigations of conditions relating to water quality and the right to bring a civil suit against any person that violates or threatens to violate Chapter 26 of the Texas Water Code, or any permit issued thereunder. Texas Water Code §§ 7.351 and 26.173. As an inspector, investigator, and potential enforcer of a TCEQ-issued permit, the County is affected by the issuance of this permit and has a personal interest in ensuring that any permit issued by the TCEQ in this matter meets the state law requirements, is protective of water quality, and is enforceable. This interest in the Applicant's proposed discharge within the County's jurisdiction is therefore unique to Ellis County and is not common to the general public. Thus, the County has authority under state law over the issues contemplated by this application and is therefore an affected person. 30 TEX. ADMIN. CODE § 55.203

For these reasons, the County requests that the Commission find that the County is an affected person and grant its request for a contested case hearing.

II. Comments

A. Granting this Application would be contrary to the State of Texas' policy regarding regionalization. See TEX. WATER CODE §§ 26.003, 26.081, and 26.0282.

i. Purpose of the regionalization policy.

The Texas Legislature has directed the TCEQ to observe its regionalization policy by encouraging interested and affected persons to cooperate in using regional systems. TEX. WATER CODE §§ 26.0282, 26.081. The TCEQ has the authority to deny the issuance of a wastewater discharge permit if there is an existing, available regional wastewater collection, treatment, and disposal system. *Id.*¹ The purpose of regionalization is to protect the health, safety, and public welfare of the citizens of this state. Providing wastewater service through a regional facility in a watershed helps protect the water quality of that watershed by limiting the number of potential sources of pollution. These larger facilities are able to use their economies of scale to provide economical service to customers in the area and are generally more financially capable. Moreover, regional providers tend to have greater expertise in operating and maintaining wastewater systems and treatment facilities.

ii. Overview of proposed plant.

Buffalo Hills Development, LLC plans to build a wastewater plant that will serve two new residential developments, Buffalo Hills Subdivision and Brahma Ranch 2, with a 0.85 MGD wastewater treatment plant. Constructing and operating one wastewater treatment plant to serve

¹ See also *In Re: Application of MidTex Partners, LTD., for Water Quality Permit No. 14472-001, Authorizing the Disposal of Treated Domestic Wastewater*, SOAH Docket No. 582-06-1581, TCEQ Docket No. 2005-1720-MWD.

only the proposed developments is counter to the goals of regionalization and will likely have a detrimental effect on the public health, safety, and welfare of the County's citizens. This is particularly true when there may be larger, centralized, professionally operated wastewater facilities and plants nearby, with available capacity to serve the development.

iii. Requiring regionalization is a broader policy issue.

The State's regionalization policy goes beyond this application. If the TCEQ grants the Application, the TCEQ signals that the Texas Legislature's regionalization policy has no practical effect and that larger entities that provide service to citizens of the County should not plan for and invest in their regional systems. If the TCEQ refuses to seriously consider regionalization in its review and approval process and allows entities that are inexperienced in the operation of wastewater treatment systems to move forward with multiple redundant facilities, Ellis County could see a dramatic increase in the number of small plants within the County. The TCEQ has an opportunity with this Application to reassert the validity of the regionalization policy and to send a message that developers and other entities should connect to existing systems when those regional systems are able and willing to serve.

Buffalo Hills Development, LLC has not demonstrated that its plan to serve the wastewater needs of the developments should be granted an exception to the State's regionalization policy. The County therefore requests that the TCEQ deny the Application on the basis that it would be contrary to the State of Texas policy regarding regionalization.

B. Issuance of the Permit could negatively affect water quality and impair existing uses within the County.

The Applicant has indicated that it proposes to develop a two new residential developments, Buffalo Hills Subdivision and Brahma Ranch 2, to be served with a 0.85 MGD wastewater treatment plant. The proposed discharge point is to an unnamed tributary thence to Boggy Branch, Armstrong Creek, Cottonwood Creek, East Fork Chambers Creek, North Fork Chambers Creek, then to Chambers Creek Above Richland-Chambers Reservoir, Classified Segment 0814. The designated uses within Segment No. 0814 include use as a source of primary contact recreation and high aquatic life use. The County is concerned that the application and the proposed permit do not comply with the state's water quality standards and that the discharge limits are not sufficiently stringent to protect the water quality in the receiving waters. The County is also concerned that the proposed discharge limits do not comply with the antidegradation requirements. The proposed permit does not fully contemplate the potential impacts of the discharge from a development to the receiving waters, including on the use as a primary contact recreation source and as a healthy ecosystem for aquatic life. Additionally, emerging contaminants that are often present in treated effluent – including pharmaceuticals, hormones, antibiotic, steroids viruses, health care products, and many more – that are refractory during wastewater treatments, tend to persist in an aquatic environment and could end up in the water supply of County residents. The proposed discharge may negatively affect the water quality within the County. The County therefore requests that the TCEQ require a full study on the Application's effect on the water quality in the eventual disposal point and discharge route.

C. The Applicant is not an experienced facility and system operator.

The Applicant is a property developer who has not demonstrated experience or expertise in operating and maintaining wastewater systems and treatment facilities. The TCEQ should not issue a permit to an inexperienced operator without requiring the applicant to demonstrate it has the operational expertise to operate a plant that will discharge 0.85 MGD of effluent.

D. The Application may not meet all of the TCEQ's requirements and may not have been properly noticed.

The County continues to review the Application and whether the Application contains all of the required information. Nevertheless, the County is concerned that the Application does not contain all the required information or contains inaccurate information, and therefore was not properly noticed.

For these reasons, the County re-urges its request that the Commission find that the County is an affected person and grant its request for a contested case hearing on the Application in order to address the concerns raised herein.

Sincerely,

A handwritten signature in cursive script that reads "Emily W. Rogers".

Emily W. Rogers
Attorney for County of Ellis

EWR/rfb

Misty Botello

From: PUBCOMMENT-OCC
Sent: Friday, September 15, 2023 1:45 PM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016216001
Attachments: Ellis County Request CCH re Buffalo Hills Development, LLC TPDES.pdf

H

From: rfburk@bickerstaff.com <rfburk@bickerstaff.com>
Sent: Friday, September 15, 2023 1:44 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

NAME: Emily Rogers

EMAIL: rfburk@bickerstaff.com

COMPANY: Bickerstaff Heath Delgado Acosta LLP

ADDRESS: 3711 S MOPAC EXPY STE 300
AUSTIN TX 78746-8013

PHONE: 5124728021

FAX:

COMMENTS: Please see attached request for contested case hearing.



September 15, 2023

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

Re: Application by Buffalo Hills Development, LLC to the Texas Commission on Environmental Quality for new Texas Commission Elimination System ("TPDES") Permit No. WQ0016216001

Dear Chief Clerk Gharis:

The County of Ellis, Texas (the "County") offers the below comments and formally requests a contested case hearing on the above-referenced application. Please direct all future correspondence on this application to either Emily Rogers or Joshua Katz, attorneys for the County, at 3711 S. MoPac Expressway, Building One, Suite 300, Austin, TX 78746. Our daytime phone number is (512) 472-8021 and fax number is (512) 320-5638.

Buffalo Hills Development, LLC ("Buffalo Hills" or "Applicant") applied to the Texas Commission on Environmental Quality ("TCEQ") for new TPDES Permit No. WQ0016216001 (the "Application"), seeking to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 850,000 gallons per day. The County is an affected person within the definition of that term by the Texas Administrative Code and opposes the issuance of the permit for the following reasons.

I. The County is an Affected Person.

The County is an "affected person" entitled to a contested case hearing on the issues raised in this hearing request under 30 TEX. ADMIN. CODE § 55.203 because the County has interests related to legal rights, duties, privileges, powers, or economic interests affected by the application that are not common to the general public. Local governmental entities, such as the County, with authority under state law over issues contemplated by an application, may be considered affected persons under 30 TEX. ADMIN. CODE § 55.203. The County has authority over various functions – including but not limited to transportation, emergency services, and health and safety – that may be affected by the proposed wastewater treatment plants and associated discharge into a tributary within the County that the Application fails to properly address. Potential contamination of surface water within the region may impact the County's ability to effectively provide emergency services, may impact health and safety by lowering water quality, and may negatively impact the County's infrastructure.

Moreover, as a local government, the County has specific statutory authority to inspect the public water in its jurisdiction to assess whether the quality of the water meets water quality standards, and to determine whether wastewater dischargers are discharging in compliance with the requirements of a TCEQ-issued permit. Texas Water Code § 26.171. The County also has authority to enter property to make inspections and investigations of conditions relating to water quality and the right to bring a civil suit against any person that violates or threatens to violate Chapter 26 of the Texas Water Code, or any permit issued thereunder. Texas Water Code §§ 7.351 and 26.173. As an inspector, investigator, and potential enforcer of a TCEQ-issued permit, the County is affected by the issuance of this permit and has a personal interest in ensuring that any permit issued by the TCEQ in this matter meets the state law requirements, is protective of water quality, and is enforceable. This interest in the Applicant's proposed discharge within the County's jurisdiction is therefore unique to Ellis County and is not common to the general public. Thus, the County has authority under state law over the issues contemplated by this application and is therefore an affected person. 30 TEX. ADMIN. CODE § 55.203

For these reasons, the County requests that the Commission find that the County is an affected person and grant its request for a contested case hearing.

II. Comments

A. Granting this Application would be contrary to the State of Texas' policy regarding regionalization. See TEX. WATER CODE §§ 26.003, 26.081, and 26.0282.

i. Purpose of the regionalization policy.

The Texas Legislature has directed the TCEQ to observe its regionalization policy by encouraging interested and affected persons to cooperate in using regional systems. TEX. WATER CODE §§ 26.0282, 26.081. The TCEQ has the authority to deny the issuance of a wastewater discharge permit if there is an existing, available regional wastewater collection, treatment, and disposal system. *Id.*¹ The purpose of regionalization is to protect the health, safety, and public welfare of the citizens of this state. Providing wastewater service through a regional facility in a watershed helps protect the water quality of that watershed by limiting the number of potential sources of pollution. These larger facilities are able to use their economies of scale to provide economical service to customers in the area and are generally more financially capable. Moreover, regional providers tend to have greater expertise in operating and maintaining wastewater systems and treatment facilities.

ii. Overview of proposed plant.

Buffalo Hills Development, LLC plans to build a wastewater plant that will serve two new residential developments, Buffalo Hills Subdivision and Brahma Ranch 2, with a .85 mgd wastewater treatment plant. Constructing and operating one wastewater treatment plant to serve

¹ See also *In Re: Application of MidTex Partners, LTD., for Water Quality Permit No. 14472-001, Authorizing the Disposal of Treated Domestic Wastewater*, SOAH Docket No. 582-06-1581, TCEQ Docket No. 2005-1720-MWD.

only the proposed developments is counter to the goals of regionalization and will likely have a detrimental effect on the public health, safety, and welfare of the County's citizens. This is particularly true when there may be larger, centralized, professionally operated wastewater facilities and plants nearby, with available capacity to serve the development.

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Buffalo Hills Development, LLC has not demonstrated that its plan to serve the wastewater needs of the developments should be granted an exception to the State's regionalization policy. The County therefore requests that the TCEQ deny the Application on the basis that it would be contrary to the State of Texas policy regarding regionalization.

B. Issuance of the Permit could negatively affect water quality and impair existing uses within the County.

The Applicant has indicated that it proposes to develop a two new residential developments, Buffalo Hills Subdivision and Brahma Ranch 2, to be served with a .85 mgd wastewater treatment plant. The proposed discharge point is to an unnamed tributary thence to Boggy Branch, Armstrong Creek, Cottonwood Creek, East Fork Chambers Creek, North Fork Chambers Creek, then to Chambers Creek Above Richland-Chambers Reservoir, Classified Segment 0814. The designated uses within Segment No. 0814 include use as a source of primary contact recreation and high aquatic life use. The County is concerned that the application and the proposed permit do not comply with the state's water quality standards and that the discharge limits are not sufficiently stringent to protect the water quality in the receiving waters. The County is also concerned that the proposed discharge limits do not comply with the antidegradation requirements. The proposed permit does not fully contemplate the potential impacts of the discharge from a development to the receiving waters, including on the use as a primary contact recreation source and as a healthy ecosystem for aquatic life. Additionally, emerging contaminants that are often present in treated effluent – including pharmaceuticals, hormones, antibiotic, steroids viruses, health care products, and many more – that are refractory during wastewater treatments, tend to persist in an aquatic environment and could end up in the water supply of County residents. The proposed discharge may negatively affect the water quality within the County. The County therefore requests that the TCEQ require a full study on the Application's effect on the water quality in the eventual disposal point and discharge route.

C. The Applicant is not an experienced facility and system operator.

The Applicant is a property developer who has not demonstrated experience or expertise in operating and maintaining wastewater systems and treatment facilities. The TCEQ should not issue a permit to an inexperienced operator without requiring the applicant to demonstrate it has the operational expertise to operate a plant that will discharge .85 mgd of effluent.

D. The Application may not meet all of the TCEQ's requirements and may not have been properly noticed.

The County has not had an opportunity to fully review the Application and whether the Application contains all of the required information. Nevertheless, the County is concerned that the Application does not contain all the required information or contains inaccurate information, and therefore was not properly noticed.

For these reasons, the County requests that the Commission find that the County is an affected person and grant its request for a contested case hearing on the Application in order to address the concerns raised herein.

Sincerely,



Emily W. Rogers
Joshua D. Katz
Attorneys for County of Ellis

EWR/rfb

Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Wednesday, October 9, 2024 3:04 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: CORRECTION FW: Public comment on Permit Number WQ0016216001
Attachments: Ellis County Request CCH re Buffalo Hills Development, LLC TPDES (Second Request)1.pdf

H

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: PUBCOMMENT-OCC
Sent: Wednesday, October 9, 2024 3:02 PM
To: PUBCOMMENT-WQ <pubcomment-wq@tceq.texas.gov>
Subject: FW: Public comment on Permit Number WQ0016216001

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

How is our customer service? Fill out our online customer satisfaction survey at:
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From: PUBCOMMENT-OCC
Sent: Wednesday, October 9, 2024 3:01 PM
To: PUBCOMMENT-OCC2 <pubcomment-occ2@tceq.texas.gov>; PUBCOMMENT-OPIC <pubcomment-opic@tceq.texas.gov>; PUBCOMMENT-ELD <pubcomment-eld@tceq.texas.gov>; PUBCOMMENT-WPD <pubcomment-wpd@tceq.texas.gov>
Subject: FW: Public comment on Permit Number WQ0016216001

H

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: rfburk@bickerstaff.com <rfburk@bickerstaff.com>
Sent: Tuesday, October 8, 2024 1:13 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

NAME: Emily Rogers

EMAIL: rfburk@bickerstaff.com

COMPANY: Bickerstaff Heath Delgado Acosta LLP

ADDRESS: Two Barton Skyway 1601 S MoPac Expwy Ste C400
Austin TX 78746

PHONE: 5124728021

FAX:

COMMENTS: Please see attached letter.



October 8, 2024

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

Re: Application by Buffalo Hills Development, LLC to the Texas Commission on Environmental Quality for new Texas Commission Elimination System ("TPDES") Permit No. WQ0016216001

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For these reasons, the County re-urges its request that the Commission find that the County is an affected person and grant its request for a contested case hearing on the Application in order to address the concerns raised herein.

Sincerely,

A handwritten signature in cursive script that reads "Emily W. Rogers".

Emily W. Rogers
Attorney for County of Ellis

EWR/rfb

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Friday, March 17, 2023 8:32 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016216001

H

From: ctaylorcpm@gmail.com <ctaylorcpm@gmail.com>
Sent: Thursday, March 16, 2023 11:41 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016216001

REGULATED ENTY NAME BUFFALO HILLS

RN NUMBER: RN111566816

PERMIT NUMBER: WQ0016216001

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BUFFALO HILLS DEVELOPMENT LLC

CN NUMBER: CN606057081

FROM

NAME: CAROLYN TAYLOR

EMAIL: ctaylorcpm@gmail.com

COMPANY: Please Select

ADDRESS: 377 ELEVEN LEAGUE RD
ENNIS TX 75119-0298

PHONE: 9728469900

FAX:

COMMENTS: I respectfully request a public hearing for the above referenced TCEQ permit number. The proposed wastewater treatment plant causes grave concern for the citizens of Ellis County. Thank you for your consideration.