

Dear Sirs,

I agree with OPIC that the applicant did not make proper Public Notification, and TPDES permit No. WQ0016216001 needs reconsideration.

Furthermore, the ED continually uses my mailing address to deny my rights as an affected person instead of the description of the location of my property, as required by the rules, for making a comment and requesting a Contested Case Hearing or Reconsideration. The 1 mile rule does not apply. The use of my property will be directly impacted by any increase in flow of Cottonwood Creek downstream in Maypearl.

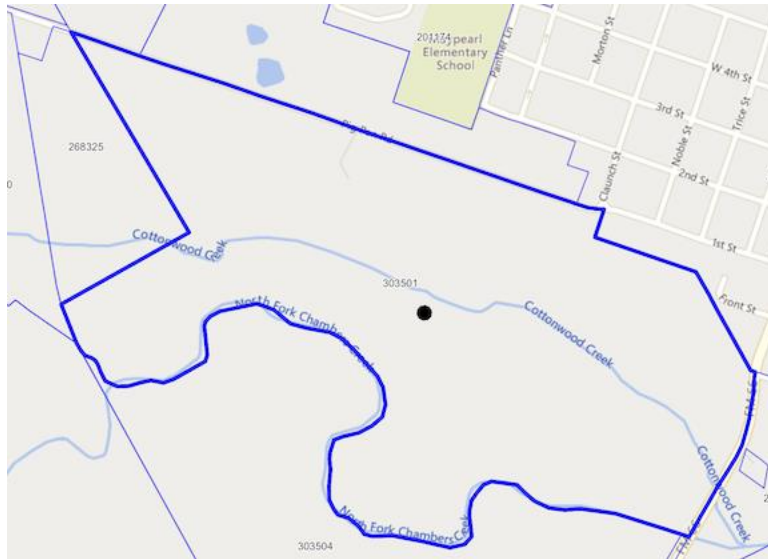
My comments regarding economic damages from the Buffalo Hills TPDES were denied using my mailing address. It also stated that economic damages due to flooding could not be considered in the TPDES application process. The GPD discharge of this TPDES MUST be considered when added to the Storm Water runoff of the developments it will serve.

My request for consideration as an affected person for economic damages for flooding on the Buffalo Hills Development application D-02152023-058 was also denied due to being more than 1 mile from the development (using my mailing address).

My request for consideration as an affected person for economic damages for flooding from Brahman Ranch Development Application D-02212023-061 was denied due to being more than 1 mile from the development (using my mailing address).

At what point in all application process(s) will my concerns and economic damages be reviewed and acknowledged listing me as an affected person? The GPD effluent discharge of the Buffalo Hills Development TPDES, along with the stormwater and runoff released from both Development(s) will directly affect my property in a manner NOT the same as the general public.

I am a person affected by TDPES PERMIT No. WQ00116216001 because my 177 Ellis County acres are in hay production adjacent to Cottonwood and North Chambers Creeks near their confluence. Ellie County identifies my parcel as #303501. The only gate is numbered 320 FM 66 and the land is less than 6 miles downstream of the discharge point.



My land use has been completely limited to hay production for many 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 routinely swelling Cottonwood Creek.** 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 and a contested hearing.**

Thank you for consideration of my requests,

Sincerely,  
Dr. Martha Johnson