

# TCEQ Registration Form

# 1

PLEASE PRINT

Name: Rep. David Cook

Mailing Address: 309 E. Broad St., Mansfield, Texas 76063

Physical Address (if different): \_\_\_\_\_

City/State: Mansfield Zip: 76063

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

Email: david.cook@house.texas.gov

Phone Number: (512) 463-0374

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

If yes, which one? self

☒ 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.

RECEIVED

SEP 23 2024

AT PUBLIC MEETING

TCEQ Public Meeting Remarks – Rep. David Cook

Commissioner Niermann, Janecka, & Gonzales –

- Thank you for holding this public meeting regarding BL 374 LLC's TPDES Permit No. WQ0016411001 to heed the concerns of my community.
- It is my understanding that TCEQ has:
  - Conducted a Tier 1 antidegradation review of this permit application;
  - Determined "*existing water quality uses will not be impaired*;" and
  - Prepared a draft permit.
- As you can see from the crowd gathered here, my constituents and I strongly disagree with your assessment.
- Last session, I filed HB 5310 to create the Tarrant County MUD #2, after negotiations with the developer to *preclude apartments*. This portion of my district is of particular interest to me, based upon my prior involvement to defeat the Bosque Solutions concrete batch plant, proposed in this same area.
- In discussions with my staff and the developer during session, we were assured that this development would take an unsightly gravel pit and transform it into a beautiful, residential neighborhood. Additionally, the developer agreed to drop the project from approximately 1,900 units including apartments to 1,000 units without apartments.
- We asked the developer to meet with all homeowners affected in the area to discuss the improvements, including any HOAs in the area and the cities of Fort Worth and Mansfield as well as Tarrant County.
- Now, it has become clear that the developer failed to discuss their plans, including this Wastewater Treatment Facility, with my constituents before submission of their TPDES permit, which has fueled considerable concern in our community.
- Specifically, our concerns include:
  - **The Feasibility of servicing 1,900+ residential connections on a 374-acre development** (see Page 84 of BLC 374 LLC's TPDES Permit Application);
  - Flood Mitigation;
  - Hazardous Run-Off such as E. Coli;
  - Removal of Water Retention Ponds;

- Insufficient Roads for Construction and Road Deterioration;
  - Environmental Concerns related to Endangered Species;
  - The Ability of TCMUD #2 to connect to a Public Sanitary Sewer less than 1 Mile to the East, which would preclude the need for a Wastewater Treatment Facility here; and
  - The Exercise of Eminent Domain Authority by the Wastewater Treatment Facility.
- For these reasons, **I strongly urge you to deny this permit.**
  - The Legislature has recently turned its attention to MUD reform, and I plan to play an active part in this process. Communities should not be subjected to this current process, which lacks considerable transparency and is prone to abuse by developers.
  - The needs of my community and constituents are paramount. I stand ready and willing to do everything I can to dissolve Tarrant County MUD #2 next session. I am tendering a copy of the bill that I plan to pre-file in advance of the 89<sup>th</sup> Texas Legislature, to dissolve Tarrant County MUD #2.
  - Thank you for your time and consideration.

By: \_\_\_\_\_

\_\_\_\_.B. No. \_\_\_\_\_

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the dissolution of the Tarrant County Municipal Utility  
3 District No. 2.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. (a) The directors of the Tarrant County  
6 Municipal Utility District No. 2 shall wind up the affairs of the  
7 district, including the filing of any dissolution documents with  
8 the Texas Commission on Environmental Quality.

9 (b) On the 60th day after the effective date of this Act:

10 (1) the Tarrant County Municipal Utility District No.  
11 2 is dissolved; and

12 (2) the terms of the directors of the district expire.

13 SECTION 2. Effective on the 61st day after the effective  
14 date of this Act, Chapter 8092, Special District Local Laws Code, is  
15 repealed.

16 SECTION 3. (a) The legal notice of the intention to  
17 introduce this Act, setting forth the general substance of this  
18 Act, has been published as provided by law, and the notice and a  
19 copy of this Act have been furnished to all persons, agencies,  
20 officials, or entities to which they are required to be furnished  
21 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
22 Government Code.

23 (b) The governor, one of the required recipients, has  
24 submitted the notice and Act to the Texas Commission on

1 Environmental Quality.

2           (c) The Texas Commission on Environmental Quality has filed  
3 its recommendations relating to this Act with the governor, the  
4 lieutenant governor, and the speaker of the house of  
5 representatives within the required time.

6           (d) All requirements of the constitution and laws of this  
7 state and the rules and procedures of the legislature with respect  
8 to the notice, introduction, and passage of this Act are fulfilled  
9 and accomplished.

10          SECTION 4. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2025.

## Jennifer Cox

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**From:** PUBCOMMENT-OCC  
**Sent:** Friday, June 7, 2024 8:16 AM  
**To:** PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Cc:** Laurie Gharis; Deornette Monteleone  
**Subject:** FW: Public comment on Permit Number WQ0016411001  
**Attachments:** TCEQ Public Comment (06062024).pdf

PM

**From:** david.cook@house.texas.gov <david.cook@house.texas.gov>  
**Sent:** Thursday, June 6, 2024 5:24 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WQ0016411001

**REGULATED ENTY NAME** TARRANT COUNTY MUD NO 2 WWTF

**RN NUMBER:** RN111810032

**PERMIT NUMBER:** WQ0016411001

**DOCKET NUMBER:**

**COUNTY:** TARRANT

**PRINCIPAL NAME:** BL 374 LLC

**CN NUMBER:** CN606181915

**NAME:** THE HONORABLE David Cook

**EMAIL:** [david.cook@house.texas.gov](mailto:david.cook@house.texas.gov)

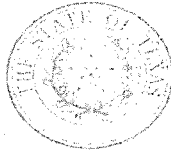
**COMPANY:** Texas House of Representatives

**ADDRESS:** PO BOX 2910 Room E1.402  
AUSTIN TX 78768-2910

**PHONE:** 5124630374

**FAX:**

**COMMENTS:** See attached PDF for comment.



TEXAS HOUSE OF REPRESENTATIVES

DAVID L. COOK

DISTRICT 96

June 6, 2024

Chairman Jon Niermann  
Texas Commission on Environmental Quality (TCEQ)  
P.O. Box 13087  
Austin, Texas 78711-3087

VIA EMAIL

**Re: BL 374 LLC Texas Pollutant Discharge Elimination System Permit No. WQ0016411001**

Dear Chairman Niermann and TCEQ Board Members,

It is my understanding that your office received an application for a proposed Texas Pollutant Discharge Elimination System (TPDES) Permit from BL 374 LLC (6116 North Central Expressway, Suite 510, Dallas, Texas 75206) to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 490,000 gallons per day on September 14, 2023. Additionally, it is my understanding that TCEQ has conducted a Tier 1 antidegradation review, which has determined that "existing water quality uses will not be impaired" and has prepared a draft TCEQ TPDES Permit for BL 374 LLC. The neighbors to this proposed permit, which are my constituents, strongly disagree with these opinions on water quality and that no significant degradation of water quality is expected in water bodies with exceptionally high or intermediate aquatic life uses downstream.

On May 20, 2024, I submitted a request to TCEQ to hold a public meeting on this permit, pursuant to my ability to do so as a local legislator near the impacted area. In discussions with my constituents in the area impacted by this permit (near the jurisdiction of Tarrant County MUD #2), several grave concerns related to this proposed Wastewater Treatment Facility have been brought to my attention, which I would like for TCEQ to take into consideration. Chiefly, my constituents and I are concerned with the feasibility of servicing wastewater treatment for 1,900+ residential connections in this 374-acre development (see BLC 374 LLC's Texas Pollutant Discharge Elimination System (TPDES) Permit Application, Page 84). Additionally, our concerns are related to flood mitigation, hazardous run-off **such as E. Coli**, removal of water retention ponds, insufficient roads and road deterioration, environmental concerns including endangered species, the ability of Tarrant County MUD #2 to connect to a public sanitary sewer 1 mile to the east which



TEXAS HOUSE OF REPRESENTATIVES

DAVID L. COOK

DISTRICT 96

would preclude the need for the Wastewater Treatment Facility, and the exercise of eminent domain authority by the Wastewater Treatment Facility.

As the public comment period on this draft permit closes today, I write to you to express my strong opposition to the granting of this permit. Additionally, I respectfully request you grant my request for a public hearing in order for TCEQ to hear the concerns from my constituents and myself directly. It is a matter of utmost importance to me that my constituents are heard in this process. Best regards.

Sincerely,

A handwritten signature in black ink, appearing to read "David L. Cook", written over the word "Sincerely,".

David L. Cook  
State Representative  
House District 96

CC: Mr. Kirk Tidwell, Mr. Chuck Crook, Dr. Keith Meister, Mr. Chris Rayburn, and Mr. Paul Smith



**Jennifer Cox**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, May 20, 2024 4:07 PM  
**To:** PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC  
**Subject:** FW: Rep. Cook PM Request  
**Attachments:** TCEQ Public Meeting Request WQ001641101.pdf

PM

**From:** Brad Patterson <Brad.Patterson@tceq.texas.gov>  
**Sent:** Monday, May 20, 2024 11:37 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Cc:** Laurie Gharis <Laurie.Gharis@tceq.texas.gov>; Deornette Monteleone <Deornette.Monteleone@tceq.texas.gov>  
**Subject:** FW: Rep. Cook PM Request

**From:** Cameron Poursoltan <Cameron.Poursoltan@tceq.texas.gov>  
**Sent:** Monday, May 20, 2024 11:34 AM  
**To:** Dennise Braeutigam <Dennise.Braeutigam@tceq.texas.gov>; Laurie Gharis <Laurie.Gharis@tceq.texas.gov>; Brad Patterson <Brad.Patterson@tceq.texas.gov>; Deanna Avalos <Deanna.Avalos@tceq.texas.gov>  
**Cc:** Clay Kelley <Clay.Kelley@tceq.texas.gov>  
**Subject:** Rep. Cook PM Request

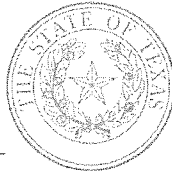
Good morning,

Please see the attached PM request from Rep. David Cook.

Thank you!

Cameron

**Cameron Poursoltan**  
State and Federal Senior Policy Advisor  
Texas Commission on Environmental Quality  
(o) 512-239-3970 | (c) 512-963-9730



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TEXAS HOUSE OF REPRESENTATIVES  
**DAVID L. COOK**

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DISTRICT 96

May 20, 2024

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

**VIA EMAIL**

Dear Chief Clerk,

I respectfully request a public meeting for the proposed Texas Pollutant Discharge Elimination System, Permit No. WQ001641101, located at the northeast intersection of Bennet Lawson Road and Gibson Cemetery Road in Tarrant County. I have received numerous questions and concerns from my constituents residing near the proposed location, and I believe an open and fair meeting would benefit all parties involved.

Please contact Sara Trott in my office at (512) 463-0374 once TCEQ has set a date, time, and location for the public meeting. Best regards.

Sincerely,

A handwritten signature in black ink, appearing to read "David L. Cook".

David L. Cook  
State Representative  
House District 96