

Docket No. 2025-1594-mwd

Permit No. wq0016524001

James Bishop

1362 E. Creekview Dr.

Salado, TX 76571

Commissioners, Executive Director, and Public Interest Council in response to your response to my public comment.

Executive Director,

Patricia Bishop is my mother and resides at a different address as shown in the submitted public comment. Patricia and I should be treated as individual landowners with sperate concerns, though they may be overlapping. It is becoming increasingly clear how this process with TCEQ works. For almost two years now we have submitted questions, requested documentation, and asked for clarity as this sewage discharge plant steam rolls forward with a disregard for my family's safety and protection of my personal property. We have not received a single answer to our requests. As an effected party we need to prove the sewer will have an effect on us that is different from the general public. My conversations with OPIC have made it clear that the distance from my land to the discharge point should not be the determining factor of my status. To clarify in bullet points below are the reasons I'm an effected party:

- 170lf of the sewage discharge waterway, Mustang Creek, runs on my property 2.4 miles from the discharge pipe. I am confident Mustang Creek is full of cracks and fissures allowing the sewage to seep into the aquafers. The original discharge body of water, Buttermilk Creek, was moved after a study done by Clearwater Underground Conservation Districts was completed. Mustang Creek will need the same study.
- My property has a private water well that we use as our source of drinking water out of the aquifer. There is a possibility the drinking water will be contaminated by the sewer discharge as my well set very close to Mustang Creek.
- I will lose the use of my property recreationally as the spring fed Mustang Creek, that we catch fish and play in, will now be full of sewage discharge.
- The 170LF of Mustang Creek on my property is part of the critical habitat of a Federally Endangered Species. I have a duty to help protect it. There are Federal laws and guidelines that must be followed regarding these creatures.

How would the above bullet point items be common to the general public and not unique to my property? You can not take away my due process over an arbitrary distance from the sewer discharge pipe. You have not even given us reasons for denial for rebuttal in your response.

Office of public interest council,

I was extremely disappointed and frankly shocked at your response to my request. I have an obvious unique scenario pertaining to the sewer system that sets me far apart from any general public's concerns. You state that there is no LEAGAL distance restriction from the discharge point and then recommend denial of my effected party status based on distance with no study or documentation to support your denial. This is an egregious disregard for my due process. We have been provided with no documentation or any real study to support any of the denials for status.

This process must be corrected. My family now has a very serious risk of adverse health and safety concerns and destruction of property along with the right of protecting it taken away.

James Bishop

Deborah Fieber
1605 Mission Trail
Salado, TX 76571

To: Commissioners, Executive Director, Office of Public Interest Council, and Applicant

RE: In the matter of the Application by Mustang Springs Utility, LLC and Jaffe Interests, LP for the TPDES Permit No. WQ0016524001
TCEQ Docket No. 2025-1594-MWD

This is my Reply to Responses to Request for Hearing and Request for Reconsideration in the above matter.

On February 3, 2025 at the Public Meeting on this application I spoke and asked for a copy of the report from EPA or USFWS explaining their response that “they had no concerns” per the Executive Director’s Final Decision letter. To date I have not received that information and it is not readily available on the TCEQ website. So a fellow neighbor helped by contacting USFWS and asked about this permit. After our contact searched his database and called the EPA to see if it had been directed to them, he came to the conclusion that it had never been received, reviewed, or consulted with either federal agency. This is the “alleged failure to consult with the U.S. Fish and Wildlife Service” claim that is being used to deny my affected party status and request for reconsideration. If TCEQ denies this sort of request to question their work with a federal agency, how is the public served?

USFWS monitors the springs on my property, in Mustang Creek, for wildlife. To date, Imperiled snails (*Phreatodrobia bulla*), Threatened Salado Salamander, and most recently the Endangered Blind Spider (*Cicurina*) have been found in the waters in Mustang Creek on my property. The entirety of my property (and many other neighbors) are in the Critical Habitat of the Threatened Salado Salamander. I’m not sure why TCEQ would not be aware of and willing to protect these species. Again, just something that sets my property apart from the general public.

Mustang Creek is most likely full of cracks and fissures, as most creeks in this area are, and therefore the effluent discharged will end up in the aquifer and affect our water supply. Nearby Buttermilk Creek was found to have cracks and fissures which warranted the WWTP to move and to release its effluent into Mustang Creek. So far no study has been done on Mustang Creek to determine the possibility of water flowing directly in to the aquifer as it would in Buttermilk Creek. Every home in our neighborhood is on a well and it is unthinkable that TCEQ would choose to grant this application without considering the effect it would have on local wells. Granting affected party status would guarantee that I get to make sure this is heard.

All the creek banks along Mustang Creek are on private property. There is no public access areas. We purchased this property with the creek running through it to use for private recreation. The health and safety of my family is at risk if we spend time in our spring fed creek that has been contaminated with the effluent from this WWTP. My homestead is at risk of becoming uninhabitable, due to lack of clean drinking water, odors from algae growth, and possible bio contaminants. My water quality and health are protected under the law.

My property is barely 2 miles from the WWTP. The very same water that is flowing from the WWTP will continue to flow all the way to my property and beyond. There is no distance restriction imposed by law.

The above information offers evidence of my affected status in this matter.

Thank you,
Deborah Fieber