

TCEQ DOCKET NO. 2026-0290-MWD

APPLICATION BY LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION LTD. FOR NEW TPDES PERMIT NO. WQ0016640001	§ § § § §	BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
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EXECUTIVE DIRECTOR'S MOTION TO REMAND

On April 6, 2026, the Executive Director of the Texas Commission on Environmental Quality (the Commission or TCEQ) received notice that Mr. Daniel R. Kohn, Trustee of the Erwin & Henrietta Kohn Living Trust (Kohn Living Trust), the sole hearing requester, submitted correspondence to the Office of the Chief Clerk indicating its intent to withdraw its hearing request from the above-numbered docket that is currently scheduled for the Commission's consideration at its Agenda meeting on April 15, 2026. The withdrawal letter from Mr. Daniel R. Kohn is attached for reference. Upon receipt of the Kohn Living Trust's withdrawal letter, there are no longer any active hearing requesters in this matter, rendering this application uncontested.

Under 30 TEX. ADMIN. CODE § 50.137, if an application that is scheduled for a commission meeting and all timely hearing requests are withdrawn, then the commission or the general counsel may remand the application to the Executive Director for further processing as an uncontested matter under 30 TEX. ADMIN. CODE § 50.133.¹

The Executive Director corresponded with representatives of Lennar Homes of Texas Land and Construction Ltd. (Applicant), as well as the Office of the Public Interest Counsel (OPIC). The Applicant and OPIC did not oppose the Executive Director's Motion. Therefore, the Executive Director respectfully requests that the commission and Office of General Counsel remand this application to the Executive Director for further processing as an uncontested matter and that it be removed from the Commissioners' Agenda on April 15, 2026.

¹ 30 TEX. ADMIN. CODE §§ 50.133(a)(5)(C), 50.137.

Respectfully submitted,

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Kelly Keel, Executive Director

Phillip Ledbetter, Director
Office of Legal Services

Amy L. Browning, Acting Deputy Director
Environmental Law Division



Fernando Salazar Martinez, Staff Attorney
Environmental Law Division
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REPRESENTING THE EXECUTIVE DIRECTOR
OF THE TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

CERTIFICATE OF SERVICE

I certify that on April 7, 2026, the “Executive Director’s Motion to Remand” was filed with the Texas Commission on Environmental Quality’s Office of the Chief Clerk, and a copy was served to all persons listed on the attached mailing list via hand delivery, electronic delivery, inter-agency mail, or by deposit in the U.S. Mail.



Fernando Salazar Martinez, Staff Attorney
Environmental Law Division
State Bar No. 24136087

SERVICE LIST

For the Applicant

Via electronic mail:

Michael W. Johnson
Vice President of Land Development
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Brian Gibson,
Director of Land Development
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Shelley Young, P.E., Engineer
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For the Executive Director

Via electronic mail:

Paula Palmar, Technical Staff
TEXAS COMMISSION
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Water Quality Division, MC-148
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Ryan Vise, Deputy Director
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For the Public Interest Counsel

Via electronic mail:

Pranjal Mehta, Asst. Public Interest Counsel
TEXAS COMMISSION
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Office of the Public Interest Counsel, MC-103
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Austin, Texas 78711
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For the General Counsel

Via electronic mail:

Colleen Ford, Asst. General Counsel
TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY
Office of the General Counsel, MC-101
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For Alternative Dispute Resolution

Via electronic mail:

Kyle Lucas
TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY
Alternative Dispute Resolution, MC-222
P.O. Box 13087
Austin, Texas 78711
Email: kyle.lucas@tceq.texas.gov

For the Chief Clerk

Via eFilings:

Docket Clerk
TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY
Office of the Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711
<https://www.tceq.texas.gov/goto/efilings>

From: [PUBCOMMENT-OCC](#)
To: [PUBCOMMENT-WQ](#); [PUBCOMMENT-ELD](#); [PUBCOMMENT-OCC2](#); [PUBCOMMENT-OPIC](#)
Cc: [Kyle Lucas](#); [Georgia Carroll-Warren](#); [Marielle Atterberry](#); [Colleen Ford](#); [Fernando Salazar Martinez](#); [Pranjal Mehta](#)
Subject: FW: Lennar Homes of Texas Land and Construction; Ltd.; WQ0016640001
Date: Monday, April 6, 2026 3:46:37 PM

WH

From: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Sent: Monday, April 6, 2026 3:45 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Lennar Homes of Texas Land and Construction; Ltd.; WQ0016640001

From: Daniel Kohn <drkohn@kohnect.net>
Sent: Monday, April 6, 2026 3:44 PM
To: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Cc: Charles CVon Schmidt (corporate@vslcc.com) <corporate@vslcc.com>; Kevin P. Shay <kshay@kps Shay.com>
Subject: Lennar Homes of Texas Land and Construction; Ltd.; WQ0016640001

Brad: I, as Trustee of the Trust for the affected property, withdraw all prior hearing requests made on this matter.

Please let me know if you have any further questions in this matter.

Thank you.

Daniel Kohn

drkohn@kohnect.net

From: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Sent: Monday, March 30, 2026 9:37 AM
To: Daniel Kohn <drkohn@kohnect.net>
Subject: Lennar Homes of Texas Land and Construction; Ltd.; WQ0016640001

Good morning:

Thank you for taking time to discuss this matter with me today. If you wish to withdraw from this matter, please reply to this email with the phrase: "I withdraw all prior hearing requests made on this matter."

Thank you,

Brad Patterson
TCEQ Office of the Chief Clerk
(512) 239-1201