

TCEQ - Office of the Chief Clerk
MC-105 Attn: SOAH Docket Clerk
PO Box 13087
Austin TX 78711-3087

Applicant Name: Preserve Hutto, LLC
TCEQ Docket Number: 2023-1566-MWD
Notice of Hearing

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §
COUNTY OF: TRAVIS §

Before me, the undersigned authority, on this day personally appeared
Kytinna Soto, who being by me duly
(name of newspaper representative)

sworn, deposes and says that (s)he is the Publisher
(title of newspaper representative)

of the La Prensa Comunidad; that said newspaper is
(name of newspaper)

regularly published or generally circulated in Travis
(county/counties)

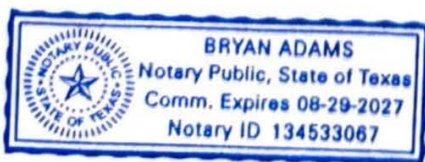
County/Counties, Texas; that the attached notice was published in said newspaper on the
following date(s): September 17, 2024
(date(s))

Kytinna Soto
Newspaper Representative's Signature

Subscribed and sworn to before me this the 17 day of September,
2024, to certify which witness my hand and seal of office.

Bryan Adams
Notary Public in and for the State of Texas

(Seal)



Bryan Adams
Print or type Name of Notary Public
My Commission Expires 08/29/2027

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



SECOND NOTICE OF HEARING Preserve Hutto, LLC SOAH Docket No. 582-24-21738 TCEQ Docket No. 2023-1566-MWD TPDES Permit No. WQ0016145001

APPLICATION.

Preserve Hutto, LLC, 3200 Southwest Freeway, Suite 1870, Houston, Texas 77027, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016145001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 48,000 gallons per day.

The facility will be located at 4428 Priem Lane, in the City of Pflugerville, Travis County, Texas 78660. The treated effluent will be discharged via pipe to an unnamed tributary, thence to Wilbarger Creek, thence to Colorado River Above La Grange in Segment No. 1434 of the Colorado River Basin. The unclassified receiving water use is limited aquatic life use for the unnamed tributary. The designated uses for Segment No. 1434 are primary contact recreation, public water supply, and exceptional aquatic life use. In accordance with 30 Texas Administrative Code § 307.5 and the TCEQ's *Procedure to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. This review has preliminarily determined that no water bodies with exceptional, high, or intermediate aquatic life uses are present within the stream reach assessed; therefore, no Tier 2 degradation determination is required. No significant degradation of water quality is expected in water bodies with exceptional, high, or intermediate aquatic life uses downstream, and existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bddd360f8168250f&marker=-97.591666%2C30.495277&level=12>

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Austin Public Library, North Village Branch, 2505 Steck Avenue, Austin, Texas.

CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing via Zoom videoconference. A Zoom meeting is a secure, free meeting held over the internet that allows video, audio, or audio/video conferencing.

10:00 a.m. – October 21, 2024

To join the Zoom meeting via computer:
<https://soah-texas.zoomgov.com>

Meeting ID: 160 004 0585
Password: MWD738

or

To join the Zoom meeting via telephone:
(669) 254-5252 or (646) 828-7666

Meeting ID: 160 004 0585
Password: 750773

Visit the SOAH website for registration at <http://www.soah.texas.gov>
or call SOAH at 512-475-4993.

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding, which will occur at a later date, will be similar to a civil trial in state district court. The hearing will address the disputed issues of fact identified in the TCEQ order concerning this application issued on February 27, 2024. In addition to these issues, the judge may consider additional issues if certain factors are met.

The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 26, Texas Water Code; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all timely hearing requests have been withdrawn or denied.

To request to be a party, you must attend the hearing and show you would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at (800) 687-4040. General information about the TCEQ can be found at our web site at www.tceq.texas.gov.

Further information may also be obtained from Preserve Hutto, LLC at the address stated above or by calling Mr. Jerry Ince, P.E., Ward Getz and Associates, at (832) 344-6604.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-4993, at least one week prior to the hearing.

Issued: September 6, 2024

Laurie Gharis

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

LEGAL NOTICES CONTINUED

200 West 8th Street, Ste. 140
Austin, TX 78701
P.O. Box 149325
Austin, Texas 78714-9325
By: **S. Munoz**

CITATION BY PUBLICATION THE STATE OF TEXAS TO UNKNOWN HEIRS OF AN T. HO ANDY HO, AKA, DECEASED

**IN PROBATE COURT #1,
TRAVIS COUNTY, TEXAS.
CAUSE NO. C-1-PB-24-001797**
ALEX DUC MINH HO filed an APPLICATION FOR DETERMINATION OF HEIRSHIP AND LETTERS OF INDEPENDENT ADMINISTRATION in the above-numbered and -entitled estate on July 30, 2024,

requesting that the Court determine who are the heirs and only heirs of **An T. Ho Andy Ho**, aka, Deceased, and their respective shares and interests in such estate. All unknown heirs and any other persons interested in this estate are cited to appear before this Court by filing a written contest or answer to this application if they want to do so. The Court may act on this application at any time at the **Probate Court #1**, Probate Courthouse, 200 West 8th Street, Austin, Texas 78701, on or after 10:00 a.m. September 16, 2024 on the first Monday after the expiration of ten days from the publication date of this citation. Therefore, to ensure consideration, any contest, answer, or other response must be filed with the Travis County Clerk in cause number **C-1-PB-24-001797**, styled **IN THE ESTATE OF An T. Ho AKA Andy Ho, DECEASED** on or before the above-noted date and time. If this citation is not served within 90 days after it is issued, it must be returned unserved. Given under my hand and seal on this the 4th day of September, 2024,

DYANA LIMON-MERCADO
County Clerk
Travis County, Texas
200 West 8th Street, Ste. 140
Austin, TX 78701
P.O. Box 149325
Austin, Texas 78714-9325
By: **J. GARCIA**

CITATION BY PUBLICATION THE STATE OF TEXAS TO UNKNOWN HEIRS OF GERTRUDE AKINS DAVISON, DECEASED IN PROBATE COURT #1, TRAVIS COUNTY, TEXAS. CAUSE NO. C-1-PB-24-001991

Joyce Akins filed an APPLICATION TO DETERMINE HEIRSHIP in the above-numbered and -entitled estate on August 19, 2024, requesting that the Court determine who are the heirs and only heirs of **Gertrude Akins Davison**, Deceased, and their respective shares and interests in such estate. All unknown heirs and any other persons interested in this estate are cited to appear before this Court by filing a written contest or answer to this application if they want to do so. The Court may act on this application at any time at the **Probate Court #1**, Probate Courthouse, 200 West 8th Street, Austin, Texas 78701, on or after 10:00 a.m. on the first Monday after the expiration of ten days from the publication date of this citation. Therefore, to ensure consideration, any contest, answer, or other response must be filed with the Travis County Clerk in cause number **C-1-PB-24-001991**, styled **IN THE ESTATE OF Gertrude Akins Davison, DECEASED** on or before the

above-noted date and time. If this citation is not served within 90 days after it is issued, it must be returned unserved. Given under my hand and seal on this the 21st day of August, 2024,
DYANA LIMON-MERCADO
County Clerk
Travis County, Texas
200 West 8th Street, Ste. 140
Austin, TX 78701
P.O. Box 149325
Austin, Texas 78714-9325
By: **S. Munoz**

above-noted date and time. If this citation is not served within 90 days after it is issued, it must be returned unserved. Given under my hand and seal on this the 21st day of August, 2024,
DYANA LIMON-MERCADO
County Clerk
Travis County, Texas
200 West 8th Street, Ste. 140
Austin, TX 78701
P.O. Box 149325
Austin, Texas 78714-9325
By: **S. Munoz**

CITATION BY PUBLICATION THE STATE OF TEXAS TO UNKNOWN HEIRS OF JESSIE LEE AKINS HOLLINS, DECEASED IN PROBATE COURT #1, TRAVIS COUNTY, TEXAS. CAUSE NO. C-1-PB-24-001981

NELSON DOUGLASS HOLLINS filed an APPLICATION TO DETERMINE HEIRSHIP in the above-numbered and -entitled estate on August 19, 2024, requesting that the Court determine who are the heirs and only heirs of **Jessie Lee Akins Hollins**, Deceased, and their respective shares and interests in such estate. All unknown heirs and any other persons interested in this estate are cited to appear before this Court by filing a written contest or answer to this application if they want to do so. The Court may act on this application at any time at the **Probate Court #1**, Probate Courthouse, 200 West 8th Street, Austin, Texas 78701, on or after 10:00 a.m. on the first Tuesday after the expiration of ten days from the publication date of this citation. Therefore, to ensure consideration, any contest, answer, or other response must be filed with the Travis County Clerk in cause number **C-1-PB-24-001981**, styled **IN THE ESTATE OF Jessie Lee Akins Hollins, DECEASED** on or before the above-noted date and time. If this citation is not served within 90 days after it is issued, it must be returned unserved. Given under my hand and seal on this the 21st day of August, 2024,
DYANA LIMON-MERCADO
County Clerk
Travis County, Texas
200 West 8th Street, Ste. 140
Austin, TX 78701
P.O. Box 149325
Austin, Texas 78714-9325
By: **K. BEATTY**

above-noted date and time. If this citation is not served within 90 days after it is issued, it must be returned unserved. Given under my hand and seal on this the 28th day of August, 2024,
DYANA LIMON-MERCADO
County Clerk
Travis County, Texas
200 West 8th Street, Ste. 140
Austin, TX 78701
P.O. Box 149325
Austin, Texas 78714-9325
By: **Y. ALHUMAIDAN**

CITATION BY PUBLICATION THE STATE OF TEXAS TO UNKNOWN HEIRS OF JOHN JAMES MANNING AKA JOHN MANNING, DECEASED IN PROBATE COURT #1, TRAVIS COUNTY, TEXAS. CAUSE NO. C-1-PB-24-002119

Christopher Bernard Manning aka Christopher Manning filed an APPLICATION FOR DETERMINATION OF HEIRSHIP AND APPOINTMENT OF INDEPENDENT ADMINISTRATOR AND ISSUANCE OF INDEPENDENT ADMINISTRATION in the above-numbered and -entitled estate on September 05, 2024, requesting that the Court determine who are the heirs and only heirs of **John James Manning AKA John Manning**, Deceased, and their respective shares and interests in such estate. All unknown heirs and any other persons interested in this estate are cited to appear before this Court by filing a written contest or answer to this application if they want to do so. The Court may act on

this application at any time at the **Probate Court #1**, Probate Courthouse, 200 West 8th Street, Austin, Texas 78701, on or after 10:00 a.m. on the first Monday after the expiration of ten days from the publication date of this citation. Therefore, to ensure consideration, any contest, answer, or other response must be filed with the Travis County Clerk in cause number **C-1-PB-24-002119**, styled **IN THE ESTATE OF John James Manning AKA John Manning, DECEASED** on or before the above-noted date and time.

If this citation is not served within 90 days after it is issued, it must be returned unserved. Given under my hand and seal on this the 5th day of September, 2024,
DYANA LIMON-MERCADO
County Clerk
Travis County, Texas
200 West 8th Street, Ste. 140
Austin, TX 78701
P.O. Box 149325
Austin, Texas 78714-9325
By: **J. JAIMES**

CITATION BY PUBLICATION THE STATE OF TEXAS TO UNKNOWN HEIRS OF JOHN WALLACE FORD, JR., DECEASED

**IN PROBATE COURT #1,
TRAVIS COUNTY, TEXAS.
CAUSE NO. C-1-PB-24-002049**
JOYCE AKINS filed an APPLICATION TO DETERMINE HEIRSHIP in the above-numbered and -entitled estate on August 26, 2024, requesting that the Court determine who are the heirs and only heirs of **John Wallace Ford, Jr.**, Deceased, and their respective shares and interests in such estate.

All unknown heirs and any other persons interested in this estate are cited to appear before this Court by filing a written contest or answer to this application if they want to do so. The Court may act on this application at any time at the **Probate Court #1**, Probate Courthouse, 200 West 8th Street, Austin, Texas 78701, on or after 10:00 a.m. on the first Monday after the expiration of ten days from the publication date of this citation. Therefore, to ensure consideration, any contest, answer, or other response must be filed with the Travis County Clerk in cause number **C-1-PB-24-002049**, styled **IN THE ESTATE OF JOHN WALLACE FORD, JR., DECEASED** on or before the above-noted date and time. If this citation is not served within 90 days after it is issued, it must be returned unserved. Given under my hand and seal on this the 28th day of August, 2024,
DYANA LIMON-MERCADO
County Clerk
Travis County, Texas
200 West 8th Street, Ste. 140
Austin, TX 78701
P.O. Box 149325
Austin, Texas 78714-9325
By: **Y. ALHUMAIDAN**

CITATION BY PUBLICATION THE STATE OF TEXAS TO UNKNOWN HEIRS OF MICHAEL FREDERIC FELDMAN, DECEASED IN PROBATE COURT #2, TRAVIS COUNTY, TEXAS. CAUSE NO. C-1-PB-24-002104

GABRIEL FELDMAN filed an APPLICATION FOR DETERMINATION OF HEIRSHIP AND FOR ISSUANCE OF LETTERS OF INDEPENDENT ADMINISTRATION in the above-numbered and -entitled estate on September 04, 2024, requesting that the Court determine who are the heirs

and only heirs of **MICHAEL FREDERIC FELDMAN**, Deceased, and their respective shares and interests in such estate.

All unknown heirs and any other persons interested in this estate are cited to appear before this Court by filing a written contest or answer to this application if they want to do so. The Court may act on this application at any time at the **Probate Court #2**, Probate Courthouse, 200 West 8th Street, Austin, Texas 78701, on or after 10:00 a.m. on the first Monday after the expiration of ten days from the publication date of this citation. Therefore, to ensure consideration, any contest, answer, or other response must be filed with the Travis County Clerk in cause number **C-1-PB-24-002104**, styled **IN THE ESTATE OF MICHAEL FREDERIC FELDMAN, DECEASED** on or before the above-noted date and time.

If this citation is not served within 90 days after it is issued, it must be returned unserved. Given under my hand and seal on this the 4th day of September, 2024,
DYANA LIMON-MERCADO
County Clerk
Travis County, Texas
200 West 8th Street, Ste. 140
Austin, TX 78701
P.O. Box 149325
Austin, Texas 78714-9325
By: **Y. ALHUMAIDAN**

CITATION BY PUBLICATION THE STATE OF TEXAS TO UNKNOWN HEIRS OF NANCY ENGLISH, AKA NANCY ELLEN ENGLISH-WESSON DECEASED

**IN PROBATE COURT #1,
TRAVIS COUNTY, TEXAS.
CAUSE NO. C-1-PB-24-001913**
Bethany Wesson a/k/a Bethany Kaye Wesson a/k/a Beth Wesson filed an Application to Declare Heirship and for Independent Administration and Letters of Independent Administration Without Bond Pursuant to Section 401.003 of the Texas Estates Code in the above-numbered and -entitled estate on August 12, 2024, requesting that the Court determine who are the heirs and only heirs of **Nancy English, aka Nancy Ellen English-Wesson** Deceased, and their respective shares and interests in such estate.

All unknown heirs and any other persons interested in this estate are cited to appear before this Court by filing a written contest or answer to this application if they want to do so. The Court may act on this application at any time at the **Probate Court #1**, Probate Courthouse, 200 West 8th Street, Austin, Texas 78701, on or after 10:00 a.m. on the first Monday after the expiration of ten days from the publication date of this citation. Therefore, to ensure consideration, any contest, answer, or other response must be filed with the Travis County Clerk in cause number **C-1-PB-24-001913**, styled **IN THE ESTATE OF Nancy English, aka Nancy Ellen English-Wesson DECEASED** on or before the above-noted date and time. If this citation is not served within 90 days after it is issued, it must be returned unserved. Given under my hand and seal on this the 13th day of August, 2024,
DYANA LIMON-MERCADO
County Clerk
Travis County, Texas
200 West 8th Street, Ste. 140
Austin, TX 78701

TCEQ - Office of the Chief Clerk
MC-105 Attn: SOAH Docket Clerk
PO Box 13087
Austin TX 78711-3087

Applicant Name: Preserve Hutto, LLC
TCEQ Docket Number: 2023-1566-MWD
Notice of Hearing

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §
COUNTY OF: Travis §

Before me, the undersigned authority, on this day personally appeared Zach Pearce, who being by me duly
(name of newspaper representative)

sworn, deposes and says that (s)he is the Administrative Assistant
(title of newspaper representative)

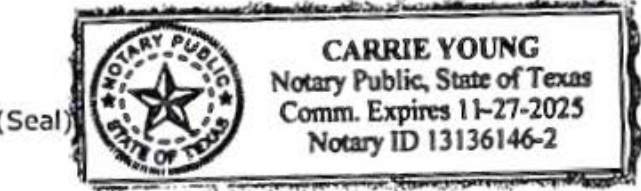
of the Austin Chronicle; that said newspaper is
(name of newspaper)

regularly published or generally circulated in Travis, Hays and Williamson
(county/counties)

County/Counties, Texas; that the attached notice was published in said newspaper on the
following date(s): September 13, 2024
(date(s))

[Signature]
Newspaper Representative's Signature

Subscribed and sworn to before me this the 13th day of September,
20 24, to certify which witness my hand and seal of office.



Carrie Young
Notary Public in and for the State of Texas
Carrie Young
Print or type Name of Notary Public
My Commission Expires 11-27-2025

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



STATE OF TEXAS §

COUNTY OF TRAVIS §

I, Laurie Gharis, Chief Clerk of the Texas Commission on Environmental Quality, do hereby certify that the attached mailing list provides the persons to whom the notice of the public hearing for Preserve Hutto, LLC, LLC, SOAH Docket No. 582-24-21738, TCEQ Docket No. 2023-1566-MWD, was mailed on September 6, 2024.

Given under my hand and the seal of the Texas Commission on Environmental Quality, this the 6th day of September 2024.

A handwritten signature in black ink that reads "Laurie Gharis".

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

SEAL

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 6, 2024

Via Certified and First Class Mail

Receipt # 7022 0410 0003 3377 5013

Peter Gregg, Attorney
Gregg Law PC
910 West Avenue, Suite 3
Austin, Texas 78701

Via Certified and First Class Mail

Receipt # 7022 0410 0003 3377 5020

Richard Owen, Authorized Signatory
Preserve Hutto, LLC
3200 Southwest Freeway, Suite 1870
Houston, Texas 77027

RE: Second Notice of Hearing Package
Applicant Name: Preserve Hutto LLC
Facility Location: Travis County, Texas
Permit Number: WQ0016145001
Type of Authorization: New

Dear Mr. Gregg and Mr. Owens,

As you know, the Chief Clerk's Office has referred this matter over to the State Office of Administrative Hearings (SOAH) for a contested case hearing on your application.

SOAH will conduct a preliminary hearing via Zoom video conference at:

10:00 a.m. – October 21, 2024

You are now required to publish notice for this hearing. To help you meet the requirements associated with this notice, we have enclosed the following items:

- Notice for Newspaper Publication
- Instructions for Notice of Hearing
- Affidavit of Publication

Please note that it is VERY IMPORTANT that you follow ALL directions in the ENCLOSED INSTRUCTIONS. If you do not, you may be required to republish the notice. One of the most common mistakes we see is the unauthorized changing of notice wording or font. If you have any questions, please contact us before you proceed with publication.

The following items and time limitations are also described in the enclosed instructions. However, due to their importance, we want to highlight them for you.

1. Publish the enclosed notice within at least **30 calendar days** prior to the date of the hearing.
2. Return **acceptable proof of publication** of the complete notice, which shows publication date and newspaper name, to the TCEQ Office of the Chief Clerk within **10 business days** after notice is published in the newspaper.
3. File the original enclosed *Affidavit of Publication* with the TCEQ Office of the Chief Clerk within **30 calendar days** after the notice is published in the newspaper.

If you do not comply with all requirements described in the instructions, further processing of your application may be suspended or the commission may take other actions.

As required by 30 TAC § 80.118(c), the TCEQ Office of the Chief Clerk (OCC) will provide the administrative record to SOAH, and will retain one copy for its files. In addition, one copy of the administrative record will be provided to you by the OCC on CD. Neither SOAH nor TCEQ is responsible for providing additional copies to the parties. However, the OCC can provide copies upon request.

The administrative record is not in evidence until properly offered by motion of a party, and subsequently admitted by the Administrative Law Judge, pursuant to 30 TAC § 80.127(h). The party seeking admission of the administrative record must supply copies to the other parties in the proceeding at the time it is offered, or by agreement of the parties.

If you have any questions regarding publication requirements, or obtaining copies of the administrative record, please contact the SOAH Docket Clerk in the OCC at 512-239-3300. If you have any other questions, please contact Kathy Humphreys at 512-239-0600.

Sincerely,



Laurie Gharis
Chief Clerk

LG/erg

Enclosures

cc: Jerry Ince, P.E., Senior Project Engineer, Ward Getz and Associates, PLLC
2500 Tanglewilde Street, Suite 120, Houston, Texas 77063

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**SECOND NOTICE OF HEARING
Preserve Hutto, LLC
SOAH Docket No. 582-24-21738
TCEQ Docket No. 2023-1566-MWD
TPDES Permit No. WQ0016145001**

APPLICATION.

Preserve Hutto, LLC, 3200 Southwest Freeway, Suite 1870, Houston, Texas 77027, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016145001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 48,000 gallons per day.

The facility will be located at 4428 Priem Lane, in the City of Pflugerville, Travis County, Texas 78660. The treated effluent will be discharged via pipe to an unnamed tributary, thence to Wilbarger Creek, thence to Colorado River Above La Grange in Segment No. 1434 of the Colorado River Basin. The unclassified receiving water use is limited aquatic life use for the unnamed tributary. The designated uses for Segment No. 1434 are primary contact recreation, public water supply, and exceptional aquatic life use. In accordance with 30 Texas Administrative Code § 307.5 and the TCEQ's *Procedure to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. This review has preliminarily determined that no water bodies with exceptional, high, or intermediate aquatic life uses are present within the stream reach assessed; therefore, no Tier 2 degradation determination is required. No significant degradation of water quality is expected in water bodies with exceptional, high, or intermediate aquatic life uses downstream, and existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd36of816825of&marker=-97.591666%2C30.495277&level=12>

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are

available for viewing and copying at Austin Public Library, North Village Branch, 2505 Steck Avenue, Austin, Texas.

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10:00 a.m. – October 21, 2024

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<https://soah-texas.zoomgov.com/>

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or

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**Visit the SOAH website for registration at: <http://www.soah.texas.gov/>
or call SOAH at 512-475-4993.**

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The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 26, Texas Water Code; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all timely hearing requests have been withdrawn or denied.

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In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, “Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH.”

INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at (800) 687-4040. General information about the TCEQ can be found at our web site at www.tceq.texas.gov.

Further information may also be obtained from Preserve Hutto, LLC at the address stated above or by calling Mr. Jerry Ince, P.E., Ward Getz and Associates, at (832) 344-6604.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-4993, at least one week prior to the hearing.

Issued: September 6, 2024

A handwritten signature in black ink that reads "Laurie Gharis". The signature is written in a cursive, flowing style.

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

COMISIÓN DE CALIDAD AMBIENTAL DE TEXAS



SEGUNDO AVISO DE AUDIENCIA
Preserve Hutto, LLC
SOAH Expediente N.º 582-24-21738
TCEQ Expediente N.º 2023-1566-MWD
TPDES Permiso N.º WQ0016145001

APPLICATION.

Preserve Hutto, LLC, 3200 Southwest Freeway, Suite 1870, Houston, Texas 77027, ha solicitado a la Comisión de Calidad Ambiental de Texas (TCEQ) para el Permiso No. WQ0016145001 (EPA I.D. No. TX0142743) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) para autorizar la descarga de aguas residuales domésticas tratadas a un flujo promedio diario que no exceda de 48,000 galones por día.

La Comisión de Calidad Ambiental de Texas (TCEQ) recibió esta aplicación el 8 de abril de 2022. La instalación estará ubicada en 4428 Priem Lane, en la ciudad de Pflugerville, en el Condado de Travis, Texas 78660. El efluente tratado se descargará a través de tubería a un afluyente sin nombre; después a Wilbarger Creek; después a Colorado River sobre la Grange en segmento No.1434 del Colorado River Basin. El uso del agua receptora no clasificada es un uso limitado de la vida acuática para el afluyente sin nombre. Los usos designados para el segmento No. 1434 son la recreación de contacto primario, el suministro público de agua y el uso excepcional de la vida acuática. De acuerdo con el 30 TAC §307.5 y los procedimientos de implementación de la TCEQ (Junio 2010) para las Normas de Calidad de Aguas Superficiales en Texas, fue realizada una revisión de la antidegradación de las aguas recibidas. Una revisión de antidegradación del Nivel 1 ha determinado preliminarmente que los usos de la calidad del agua existente no serán perjudicados por la acción de este permiso. Se mantendrá un criterio narrativo y numérico para proteger los usos existentes. Esta revisión ha determinado preliminarmente que ninguno de los cuerpos de agua con usos intermedio, alto o excepcional de vida acuática están presentes dentro del acceso para llegar a la corriente; por lo tanto, no se requiere ninguna determinación de degradación del Nivel 2. No se espera ninguna degradación significativa de la calidad del agua en los cuerpos de agua con usos intermedios, elevados o excepcionales de la vida acuática río abajo y que los usos existentes serán mantenidos y protegidos. La determinación preliminar puede ser reexaminada y puede ser modificada, si se recibe alguna información nueva. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud.

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd36of816825of&marker=-97.591666%2C30.495277&level=12>

El Director Ejecutivo de la TCEQ ha completado la revisión técnica de la solicitud y ha preparado un borrador del permiso. El borrador del permiso, si es aprobado, establecería las condiciones bajo las cuales la instalación debe operar. El Director Ejecutivo ha tomado una decisión preliminar que si este permiso es emitido, cumple con todos los requisitos normativos y legales. La solicitud del permiso, la decisión preliminar del Director Ejecutivo y el borrador del permiso están disponibles para leer y copiar en Austin Public Library, North Village Branch, 2505 Stech Avenue, Austin, Texas.

AUDIENCIA DE CASO IMPUGNADO.

La Oficina Estatal de Audiencias Administrativas (SOAH, por sus siglas en inglés) llevará a cabo una audiencia preliminar a través de una videoconferencia de Zoom. Una reunión de Zoom es una reunión segura y gratuita que se celebra a través de Internet y que permite realizar videoconferencias de audio/audio.

10:00 a.m. –21 de octubre de 2024

Para unirse a la reunión de Zoom a través de la computadora:

<https://soah-texas.zoomgov.com/>

ID de reunión: 160 004 0585

Contraseña: MWD738

or

Para unirse a la reunión de Zoom por teléfono:

(669) 254-5252 or (646) 828-7666

ID de reunión: 160 004 0585

Contraseña: 750773

Visite el sitio web de SOAH para registrarse en: <http://www.soah.texas.gov/> o llame al SOAH at (512) 475-4993.

El propósito de una audiencia preliminar es establecer la jurisdicción, nombrar a las partes, establecer un cronograma procesal para el resto del procedimiento y abordar otros asuntos según lo determine el juez. La fase de audiencia probatoria del procedimiento, que tendrá lugar en una fecha posterior, será similar a un juicio civil en un tribunal de distrito estatal. La audiencia abordará las cuestiones de hecho en disputa identificadas en la orden de TCEQ con respecto a esta solicitud emitida el 27 de febrero de 2024. Además de estas cuestiones, el juez puede considerar cuestiones adicionales si se cumplen ciertos factores.

La audiencia se llevará a cabo de acuerdo con el Capítulo 2001 del Código de Gobierno de Texas; Capítulo 26, Código de Aguas de Texas; y las normas de procedimiento de la TCEQ y la SOAH, incluidos el capítulo 80 del TAC 30 y el capítulo 155 del TAC. La audiencia se llevará a cabo a menos que todas las solicitudes de audiencia oportunas hayan sido retiradas o denegadas.

Para solicitar ser parte, debe asistir a la audiencia y demostrar que se vería afectado negativamente por la solicitud de una manera que no es común para los miembros del

público en general. Cualquier persona puede asistir a la audiencia y solicitar ser parte. Solo las personas nombradas como partes pueden participar en la audiencia.

De acuerdo con 1 Código Administrativo de Texas § 155.401(a), Aviso de audiencia, "Las partes que no están representadas por un abogado pueden obtener información sobre las audiencias de casos impugnados en el sitio web público de la Oficina Estatal de Audiencias Administrativas en www.soah.texas.gov, o en formato impreso previa solicitud a SOAH".

INFORMACIÓN.

Si necesita más información sobre el proceso de audiencia para esta solicitud, llame al Programa de Educación Pública, sin cargo, al (800) 6874040. Puede encontrar información general sobre la TCEQ en nuestro sitio web en www.tceq.texas.gov.

También se puede obtener más información de Preserve Hutto, LLC a la dirección indicada anteriormente o llamando al Sr. Jerry Ince, P.E., Ward, Getz & Associates, al (832) 334-6604.

Las personas con discapacidades que necesiten adaptaciones especiales en la audiencia deben llamar al Departamento de Expedientes de SOAH al (512) 475-4993, al menos una semana antes de la audiencia.

Fecha de Emisión: 6 de septiembre de 2024



Laurie Gharis, Secretaria Principal
Comisión de Calidad Ambiental de Texas

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



INSTRUCTIONS FOR PUBLIC NOTICE For Water Quality Permit

NOTICE OF HEARING

A hearing was requested on issues related to your application and the Commission granted this request. The matter has been referred to the State Office of Administrative Hearings. Now you must comply with the following instructions:

Please Review Notice

We have included in the hearing notice all of the information which we believe is necessary. Please read it carefully and notify us immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. You may not change the text of the notice without prior approval from the TCEQ.

Newspaper Notice

- You must publish the enclosed Notice of Hearing no less than **30** days before the hearing.
- You must publish the enclosed Notice of Hearing at least once and at your expense, in a newspaper that is regularly published or circulated in each county where, by virtue of the county's geographical relation to the subject matter of the hearing, a person may reasonably believe persons reside who may be affected by the action that may be taken as a result of the hearing. A list of the appropriate counties provided by the executive director is described in the cover letter.

Proof of Publication

- For each published notice, you must submit proof of publication that shows the notice, the date of publication, and the name of the newspaper to the Office of the Chief Clerk within **10 business days** after the date of publication. Acceptable proof of publication is 1) a copy of the published notice or 2) the original newspaper clipping of the published notice. If you choose to submit a copy of the published notice to the Office of the Chief Clerk, the copy must be on standard-size 8½" x 11" paper and must show

the actual size of the published notice (do not reduce the image when making copies). Published notices longer than 11” must be copied onto multiple 8½” x 11” pages. Please note, submitting a copy of your published notice could result in faster processing of your application. It is recommended that you maintain the original newspaper clipping or tear sheet of the notice for your records.

- You must submit a **publisher's affidavit** to the Office of the Chief Clerk within **30 calendar days** after the date of publication. **You must use the enclosed affidavit form.** The affidavit must clearly identify the applicant's name and permit number.
- You are encouraged to submit the affidavit with the proof of publication described above; however, the affidavit must be submitted no later than **30 calendar days** after publication of notice.
- The **publisher's affidavit** and **proof of publication of each published notice** may be filed with the Chief Clerk electronically at www.tceq.texas.gov/goto/efilings or mailed to:

TCEQ
Office of the Chief Clerk, MC 105
Attn: SOAH Docket Clerk
P.O. Box 13087
Austin, Texas 78711-3087

- Please ensure that the affidavit you send to the Chief Clerk is original and that all blanks on the affidavit are filled in correctly.

Failure to Publish and Submit Proof of Publication

You must meet all publication requirements. **If you fail to publish the notice or submit proof of publication *on time***, the TCEQ may suspend further processing of your application or take other actions.

General Information

When contacting the Commission regarding this application, please refer to the permit number and TCEQ Docket number at the top of the Notice of Hearing.

If you have questions or need assistance regarding this notice, please contact the staff attorney listed in the cover letter or the SOAH Docket Clerk in the Office of the Chief Clerk at (512) 239-3300.

TCEQ - Office of the Chief Clerk
MC-105 Attn: SOAH Docket Clerk
PO Box 13087
Austin TX 78711-3087

Applicant Name: Preserve Hutto, LLC
TCEQ Docket Number: 2023-1566-MWD
Notice of Hearing

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §
COUNTY OF: _____ §

Before me, the undersigned authority, on this day personally appeared _____, who being by me duly
(name of newspaper representative)

sworn, deposes and says that (s)he is the _____
(title of newspaper representative)

of the _____; that said newspaper is
(name of newspaper)

regularly published or generally circulated in _____
(county/counties)

County/Counties, Texas; that the attached notice was published in said newspaper on the
following date(s): _____
(date(s))

Newspaper Representative's Signature

Subscribed and sworn to before me this the _____ day of _____,
20 _____, to certify which witness my hand and seal of office.

(Seal)

Notary Public in and for the State of Texas

Print or type Name of Notary Public

My Commission Expires _____ 00016

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RRC PROPERTY GROUP LLC
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BATES CYNTHIA LYNN
32 BAUERVILLE ROAD
ART TEXAS 76820

FUNEZ NEYLA & ALEXANDER
20105 PANTHER DR
PFLUGERVILLE TEXAS 78660

FRANZ WALTER W & CAROLYN
20804 PRESTWICK DR
HUTTO TEXAS 78634

BERMUDEZ CESAR
3108 JAZZ ST
ROUND ROCK TEXAS 78664

CRZ DEVELOPMENT LLC
20304 FRANKIE LANE
PFLUGERVILLE TEXAS 78660

RODRIGUEZ RAMIRO RAMIREZ
20800 PRESTWICK. DR
HUTTO TEXAS 78634

BERMUDEZ JESUS
3720 APPLE VISTA CIR
PFLUGERVILLE TEXAS 78660

NORWOOD GREGORY P & NELDA
20009 PANTHER DR
PFLUGERVILLE TEXAS 78660

WILLIAMSON COUNTY WATER
100 CONGRESS A VE STE 1300
AUSTIN TEXAS 78701

PFLUGERVILLE ISD
1401 PECAN ST W
PFLUGERVILLE TEXAS 78660

MOORE REAGAN DOYLE
1512 PANTHER LOOP
PFLUGERVILLE TEXAS 78660

PARTH CAPITAL GROUP LLC
12320 ALAMEDA TRACE CIR
APT 1308
AUSTIN TEXAS 78727

DECK RYAN
PO BOX 6055
ROUND ROCK TEXAS 78683

STATE OF TEXAS
7600 WASHINGTON A VE
HOUSTON TEXAS 77007

ESTES JOHNNY F & CAROL ANN
4632 PRIEM LANE
PFLUGERVILLE TEXAS 78660

LONGHORN CROSSING LLC
457 RIVIERA DR
CANYON LAKE TEXAS 78133

A-A-A STORAGE GATTIS SCHOOL
LLC
4203 SPINNAKER CV
AUSTIN TEXAS 78731

WQ STANDARD MAIL LIST

APPLICANT:

Other Applicant Representatives:

PERMIT #:

BASIN:

REGION:

COUNTY:

PERMITTEE:

TO BE PUBLISHED BY:

DATE NOTICE MAILED:

CCO #:

NOTICE TECH INITIALS:

EVELYN ROSBOROUGH
USEPA REGION 6
1445 ROSS AVE STE 1200
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(Rosborough only gets notices with TPDES language.)

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AUSTIN TX 78752
fullera@nwf.org

ANNE ROGERS
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TEXAS PARKS AND WILDLIFE
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SARA THORNTON
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RAILROAD COMMISSION OF TEXAS
TECHNICAL PERMITTING, ENVIRONMENTAL SUPPORT
INTERAGENCY MAIL

DONNA MCCARVER
ARCHEOLOGY DIVISION
TEXAS HISTORICAL COMMISSION
INTERAGENCY MAIL
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ENVIRONMENTAL DEFENSE FUND
5400 MUSKET RDG
AUSTIN, TX 78759
nsaunders@edf.org

DAVID T VILLARREAL PH.D.
ENVIRONMENTAL QUALITY PROGRAM
TEXAS DEPARTMENT OF AGRICULTURE
INTERAGENCY MAIL

HEIDI BOJES PH.D.
TEXAS DEPARTMENT OF STATE HEALTH SERVICES
INTERAGENCY MAIL
heidi.bojes@dshs.state.tx.us
(Bojes gets IHW, MSW, and WQ notices.)

LESLIE KOZA
GRANT PROGRAM AND SUPPORT DIVISION
COASTAL RESOURCES PROGRAM
TEXAS GENERAL LAND OFFICE
INTERAGENCY MAIL
federal.consistency@glo.texas.gov
(KOZA only gets notices with CMP language.)

MICHAEL BOOTH
5701 W SLAUGHTER A130-404
AUSTIN TX 78749

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RICHARD OWEN
PRESERVE HUTTO LLC
3200 SOUTHWEST FWY STE 1870
HOUSTON TX 77027

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

PRESERVE HUTTO LLC
RICHARD OWEN
2023-1566-MWD
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1. Article Addressed to:

RICHARD OWEN
PRESERVE HUTTO LLC
3200 SOUTHWEST FWY STE 1870
HOUSTON TX 77027

2. Article Number (Transfer from service label)

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PS Form 3811, July 2020 PSN 7530-02-000-9053

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 Addressee

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