

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 White Oaks Municipal Utility District of Denton County, SOAH Docket No. 582-24-15646, TCEQ Docket No. 2023-1587-DIS, was mailed on May 2, 2024.

Given under my hand and the seal of the Texas Commission on Environmental Quality, this the 2nd day of May 2024.

A handwritten signature in cursive script that reads "Laurie Gharis".

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

SEAL

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF HEARING **White Oaks Municipal Utility District of Denton County** **SOAH Docket No. 582-24-15646** **TCEQ Docket No. 2023-1587-DIS** **TCEQ Internal Control No. D-09262022-049**

PETITION.

White Oaks Ranch Land, LP, (Petitioner) filed a petition for creation of White Oaks Municipal Utility District of Denton County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 and Article III, §52 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The amended petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 378.944 acres located within Denton County, Texas; and (4) all of the land within the proposed District is outside of the corporate limits and extraterritorial jurisdiction of any municipality and is located in Denton County.

The amended petition further states that the proposed District will: (1) purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) to collect, transport, process, dispose of and control domestic, and commercial wastes; (3) to gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the District; (4) to design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; (5) and to purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the proposed District is created.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$82,630,000 (\$65,150,000 for water, wastewater, and drainage plus \$17,480,000 for roads).

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. – June 4, 2024

To join the Zoom meeting via computer:

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

Meeting ID: 160 616 9626

Password: TCE46W

or

To join the Zoom meeting via telephone:

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

Meeting ID: 160 616 9626

Password: 476564

**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 be conducted in accordance with Chapter 2001, Texas Government Code; Chapters 49 and 54, Texas Water Code; Chapter 395, Texas Local Government Code; TCEQ rules, including 30 Texas Administrative Code (TAC) Chapter 293; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. To participate in the hearing as a party, you must attend the hearing and show you would be affected by the petition in a way not common to members of the general public.

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.

For information concerning the hearing process, please contact the TCEQ Office of the Public Interest Counsel (MC 103), P.O. Box 13087, Austin, Texas 78711-3087, telephone (512) 239-6363. For additional information, contact the TCEQ Water Supply Division, Districts Section (MC 152), P.O. Box 13087, Austin, Texas 78711-3087, telephone (512) 239-4691. General information regarding the TCEQ can be found at our web site at www.tceq.texas.gov

Persons with disabilities who plan to attend this hearing and 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: May 2, 2024

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

MAILING LIST
Hays Commons Municipal Utility District
TCEQ Docket No. 2023-1588-DIS; SOAH Docket No. 582-24-15644
TCEQ Internal Control No. D-06282023-060

FOR THE APPLICANT:

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INTERESTED PERSONS:

See Attached List

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via electronic mail:

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TCEQ - Office of the Chief Clerk
MC-105 Attention: Notice Team
PO Box 13087
Austin TX 78711-3087

Applicant Name: White Oaks MUD
TCEQ Tracking No. D-09262022-049 CID Item No. 131030
Application Type: PETITION FOR CREATION OF A DISTRICT

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §

COUNTY OF: Denton §

TCEQ 000

13FEB '23 10:31

Before me, the undersigned authority, on this day personally appeared

Alice McGonaghey, who being by me duly
(name of newspaper representative)

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

of the Denton Record-Chronicle; that said newspaper is
(name of newspaper)

regularly published or circulated in Denton County/Countries,
(name of county or counties)

Texas; that the attached notice was published in said newspaper on the following dates:

January 28, 2023 & February 5, 2023
(date or dates of publication)

Alice McGonaghey
Newspaper Representative's Signature

Subscribed and sworn to before me this the 6th day of February,
20 23, to certify which witness my hand and seal of office.

(Seal)



Patricia La Gard

Notary Public in and for the State of Texas

Patricia La Gard
Print or type Name of Notary Public

My Commission Expires 08-05-2023

21A

NOTICE OF INTENT TO
INTRODUCE LEGISLATION

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioners and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of

and

LOCATION MAP
SCALE: N.T.S.

Kimley»Horn
 1000 North 10th Street, Suite 100
 Lincoln, NE 68502
 402-441-1000
 Fax: 402-441-1001
 E-mail: info@kimleyhorn.com
 Web: www.kimleyhorn.com

Saturday-Sunday, February 4-5, 2023

21A

CES	PUBLIC NOTICES	PUBLIC NOTICES	PUBLIC NOTICES	PUBLIC NOTICES
e of a ide the ments t the a public Director ic	which is provided at the top of this notice. AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at www.tceq.texas.gov/odc/comme	the following tenants at the storage facility. The sale will occur as an online auction via www.storageusa.com on 2/21/2023 at 10:00am. Unless stated otherwise the description of the contents are household goods and furnishings. Armit Brown, Bruce Clark, Dennis Elizabeth Cruz, Jelisa Rodenai Brown, Jahman Aki Peels. All property is being stored at the	above self-storage facility. This sale may be withdrawn at any time without notice. Certain terms and conditions apply. See manager for details. manager for details. Dic 02/05/2023 & 02/12/2023	Notice of Self Storage Sale Please take notice US Storage Centers - The Colony Paige Rd located at 4201 Paige Rd The Colony, TX 75056 intends to hold a public sale to the highest

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-09262022-049

PETITION. White Oaks Ranch Land, LP (Petitioner) filed a petition for creation of White Oaks Municipal Utility District of Denton County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 and Article III, §52 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The amended petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 378,944 acres located within Denton County, Texas; and (4) all of the land within the proposed District is outside of the corporate limits and extraterritorial jurisdiction of any municipality and is located in Denton County.

The territory to be included in the proposed District is depicted in the vicinity map designated as Exhibit "A," which is attached to this document.

The amended petition further states that the proposed District will: (1) purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) to collect, transport, process, dispose of and control domestic, and commercial wastes; (3) to gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the District; (4) to design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; (5) and to purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the proposed District is created.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$82,630,000 (\$65,150,000 for water, wastewater, and drainage plus \$17,480,000 for roads).

CONTESTED CASE HEARING. The TCEQ may grant a contested case hearing on this petition if a written hearing request is filed within 30 days after the newspaper publication of this notice.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioners and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of

your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

INFORMATION. Written hearing requests should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC-103, at the same address. General information regarding TCEQ can be found at our website <http://www.tceq.texas.gov/>. Issued: January 18, 2023

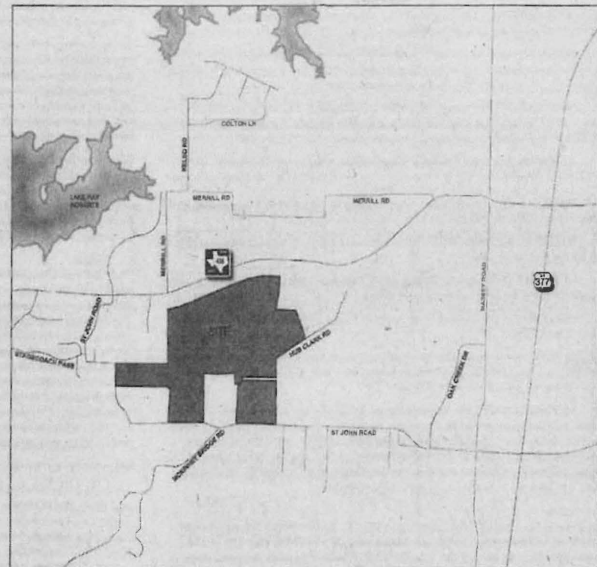


EXHIBIT A

White Oaks MUD of Denton County

Kimley-Horn

CERTIFICATE OF POSTING OF NOTICE OF DISTRICT PETITION

THE STATE OF TEXAS

§

COUNTY OF DENTON

§

I, Michele Boutwell, hereby certify that I am more than eighteen (18) years of age and capable of executing this certificate; and that the attached is a true and correct copy of a Notice of District Petition for White Oaks Municipal Utility District of Denton County (TCEQ Internal Control No. D-09262022-049), which I caused to be posted on the bulletin board used for posting legal notices in Denton County on the 24th day of January, 2023.

Signature: Michele Boutwell

Printed Name: Michele Boutwell

Title: Senior Clerk

(COUNTY SEAL)



TCEQ OCC

13FEB '23 10:31

COATS | ROSE

A PROFESSIONAL CORPORATION

TAYLOR ELLIOTT
ASSOCIATE

TELLIOTT@COATSROSE.COM
DIRECT: (972) 419-4722
FAX: (972) 702-0662

February 09, 2023

VIA FEDERAL EXPRESS

Ms. Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality (MC 105)
12100 Park 35 Circle, Building F
Austin, Texas 78753

Re: Petition for Creation of White Oaks Municipal Utility District of Denton County
(TCEQ Internal Control No. D-09262022-049)

Dear Ms. Gharis:

Enclosed please find the Affidavit of Publication of the Notice of District Petition published on January 28, 2023 and February 5, 2023 in the *Denton Record-Chronicle*, a newspaper of general circulation in Denton County. Additionally, I have enclosed proof of posting of the Notice of District Petition by the Denton County Clerk's Office on January 24, 2023.

If you have any questions, or if you need additional materials, please contact me.

Very truly yours,



Taylor Elliott

Enclosures

TCEQ OCC

13FEB '23 10:30

16000 NORTH DALLAS PARKWAY, SUITE 350, DALLAS, TEXAS 75248

PHONE: (972) 788-1600 FAX: (972) 702-0662

coatsrose.com

HOUSTON | AUSTIN | DALLAS | NEW ORLEANS | CINCINNATI

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-09262022-049

PETITION. White Oaks Ranch Land, LP, (Petitioner) filed a petition for creation of White Oaks Municipal Utility District of Denton County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 and Article III, §52 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The amended petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 378.944 acres located within Denton County, Texas; and (4) all of the land within the proposed District is outside of the corporate limits and extraterritorial jurisdiction of any municipality and is located in Denton County.

The territory to be included in the proposed District is depicted in the vicinity map designated as Exhibit "A," which is attached to this document.

The amended petition further states that the proposed District will: (1) purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) to collect, transport, process, dispose of and control domestic, and commercial wastes; (3) to gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the District; (4) to design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; (5) and to purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the proposed District is created.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$82,630,000 (\$65,150,000 for water, wastewater, and drainage plus \$17,480,000 for roads).

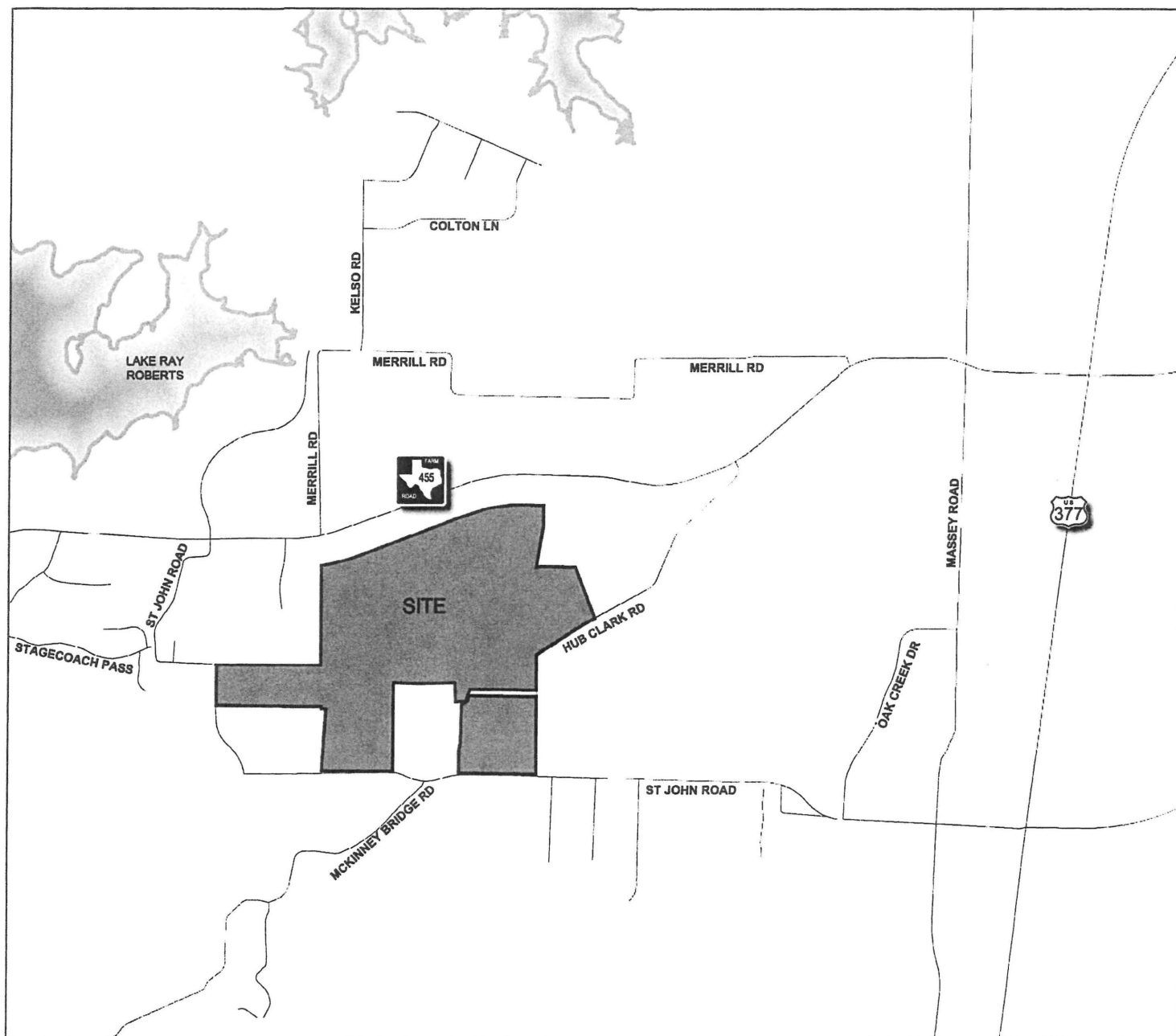
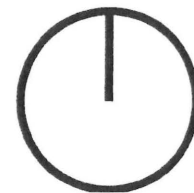
CONTESTED CASE HEARING. The TCEQ may grant a contested case hearing on this petition if a written hearing request is filed within 30 days after the newspaper publication of this notice.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioners and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

INFORMATION. Written hearing requests should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC-103, at the same address. General information regarding TCEQ can be found at our web site <http://www.tceq.texas.gov/>.

Issued: January 18, 2023



LOCATION MAP
SCALE: N.T.S.

EXHIBIT A

White Oaks MUD of Denton County

Denton County, Texas
November 2022

Kimley»Horn

400 North Oklahoma Drive, Suite 105
Celina, TX 75009
469-501-2200
State of Texas Registration No. F-928

NOTES:
1. THIS PLAN IS PREPARED BY KIMLEY-HORN & ASSOCIATES, INC. (KHA) FOR THE
PURPOSE OF A SUBMITTAL TO THE DENTON COUNTY BOARD OF COUNTY COMMISSIONERS (BCC).
2. KHA HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND SURROUNDING AREAS.

00016

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Erin E. Chancellor, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

January 18, 2023

Ms. Mindy Koehne
Coats Rose, PC
16000 North Dallas Parkway, Suite 350
Dallas, Texas 75248-6637

Re: Publication of Notice of District Petition regarding creation of White Oaks
Municipal Utility District of Denton County
TCEQ Internal Control No. D-09262022-049

Dear Ms. Koehne:

Enclosed is a copy of the notice for the above petition. Please carefully review the notice for accuracy prior to publication and distribution. Contact Cindy Rojas Annicchiarico in the District Administration Office at 512/239-5146 if the notice is found to be in error.

This full notice, including Exhibit A, must be published in accordance with 30 Texas Administrative Code Section 293.12, at your client's expense, in a newspaper (or newspapers) regularly published or circulated in the county or counties in which the proposed district is to be located. Publication shall be once a week for two consecutive weeks. The 30-day comment period will begin on the day after the date of the **second** publication.

In addition, pursuant to 30 Texas Administrative Code 293.12, you are required to post the enclosed notice, including Exhibit A, on the bulletin board used for posting legal notices in each county in which all or part of the proposed district is to be located. This notice should be posted so that it is available to the public no later than the date of your second newspaper publication.

After notice has been published and posted in accordance with 293.12, please provide proof of these actions to the Chief Clerks Office (Mail Code 105). The proof for newspaper publication shall be the original TCEQ affidavit of publication completed and notarized by the newspaper and an original tear sheet from the newspaper. The proof of posting can be in the form of an affidavit signed by a representative for the proposed district, stating all facts of the posting action.

The Chief Clerk's Office should receive all affidavits no later than 14 days after the second publication of the notice in the newspaper.

If you have any questions regarding these publication requirements, please contact Georgia Carroll-Warren in this office at 512/239-3314.

Sincerely,

A handwritten signature in cursive script that reads "Laurie Gharis". The signature is written in dark ink and is positioned above the typed name and title.

Laurie Gharis
Chief Clerk

LG/ka
Enclosures

cc: To all on attached mailing list.

MAILING LIST

White Oaks MUD of Denton County
TCEQ Internal Control No. D-09262022-049

Ms. Mindy Koehne
Coats Rose, PC
16000 North Dallas Parkway, Suite 350
Dallas, Texas 75248-6637

Stephanie D. White, P.E.
Kimley Horn
400 N Oklahoma Dr, Suite 105
Celina, Texas 75009-6259

Ms. Alyssa Taylor
TCEQ Region 4
2309 Gravel Drive
Fort Worth, Texas 76118-6951

The Honorable Jared Patterson
State Representative, District No. 106
Jared.patterson@house.texas.gov

The Honorable Lynn Stucky
State Representative, District No. 64
Lynn.stucky@house.texas.gov

The Honorable Drew Springer
State Senator, District No. 30
Drew.springer@senate.texas.gov

Juli Luke, County Clerk
Denton County
1450 East McKinney Street
Denton, Texas 76209-4524

Mike Eastland, Executive Director
North Central Texas Council of
Governments
616 Six Flags Drive
P.O. Box 5888
Arlington, Texas 76011-6347

Mustang Special Utility District
7985 FM 2931
Aubrey, Texas, 76227-3940

Texas Commission on Environmental
Quality
P. O. Box 13087
Austin, Texas 78711-3087

Todd Galiga, Senior Attorney,
Environmental Law Division, MC-173

Bobby Salehi, Attorney, Environmental
Law Division, MC-173

Cindy Rojas Annicchiarico, Technical
Manager, Districts Creation Review
Team, MC-152

Stephanie DeSouza, Districts Creation
Review Team, MC-152

Justin P. Taack, Manager, Districts
Section, MC-152

Sean Ables, Drinking Water Special
Functions Section, Water Supply
Division, MC-153

Garrett Arthur, Office of the Public
Interest Counsel, MC-103

TCEQ - Office of the Chief Clerk
MC-105 Attention: Notice Team
PO Box 13087
Austin TX 78711-3087

Applicant Name: White Oaks MUD
TCEQ Tracking No. D-09262022-049 CID Item No. 131030
Application Type: PETITION FOR CREATION OF A DISTRICT

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 circulated in _____ County/Countries,
(name of county or counties)

Texas; that the attached notice was published in said newspaper on the following dates:

_____.
(date or dates of publication)

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 _____