

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

May 6, 2024

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

RE: Application For White Oaks MUD of Denton County
TCEQ Docket No. 2023-1587-DIS;
SOAH Docket 582-24-15646

Dear Ms. Gharis:

Enclosed you will find the Executive Director's portion of the Administrative Record consisting of those documents specified at 30 TAC § 80.118(a)(1)-(4) and (6).

- Notice of District Creation
- Notice of Hearing
- Affidavits of Publication
- Certificate of Posting

Please do not hesitate to contact me at Fernando.martinez@tceq.texas.gov if you have any questions. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Fernando Salazar Martinez".

Fernando Salazar Martinez
Staff Attorney - Environmental Law Division

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. 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).

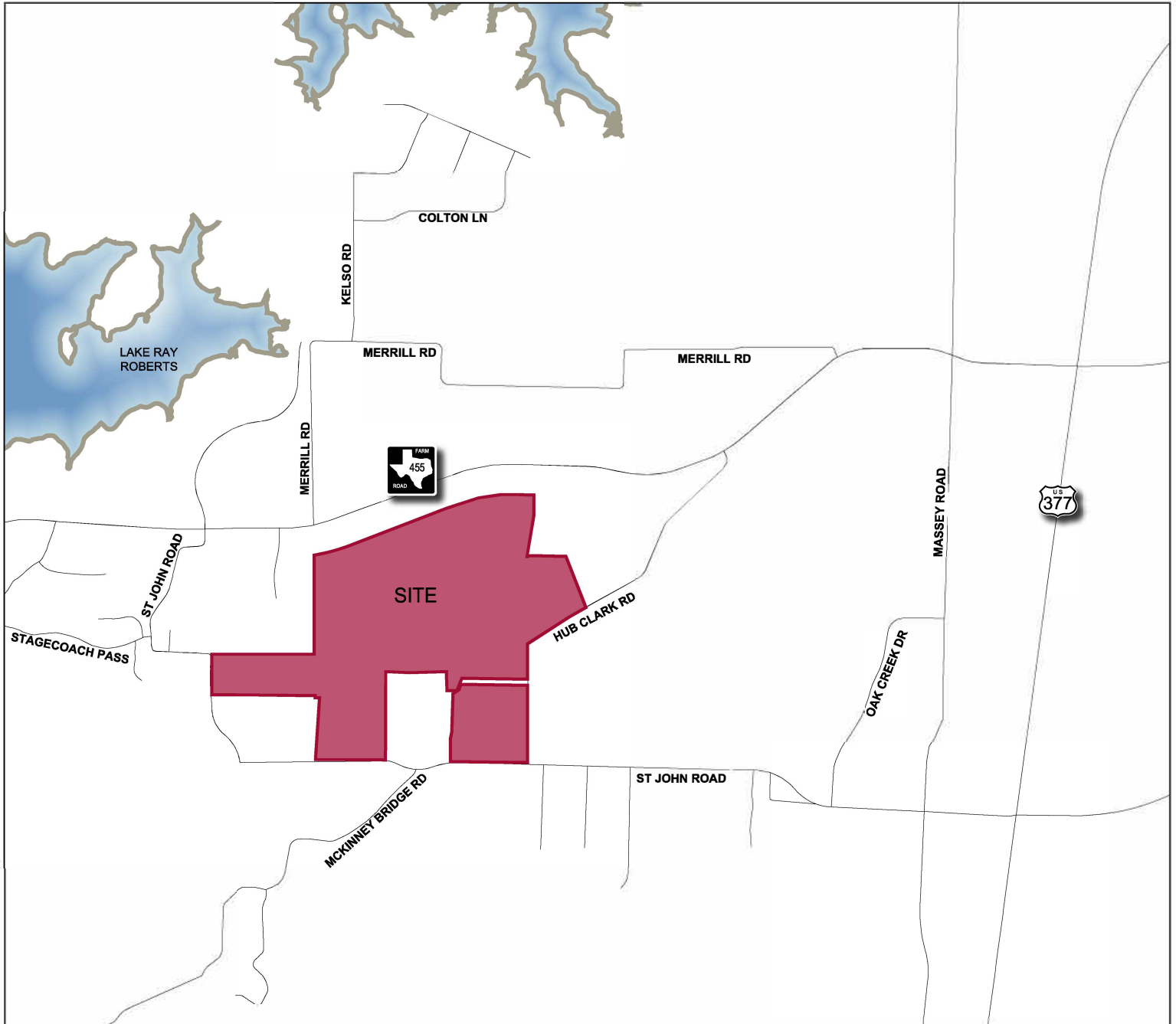
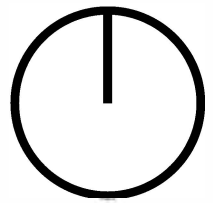
CONTESTED CASE HEARING. The TCEQ may grant a contested case hearing on this petition if a written hearing request is filed within 30 days after the newspaper publication of this notice.

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
Cedar, TX 75009
469-501-2200
State of Texas Registration No. F-928

NOTES:
1. THIS PLAN IS CONCEPTUAL IN NATURE AND HAS BEEN PRODUCED WITHOUT THE
BENEFIT OF A SURVEY OR CONTACT WITH THE CITY, COUNTY, ETC.
2. AERIAL IMAGE BY HERE MAP, COPYRIGHT 2021

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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.

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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

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 §

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

Alice McConaughy, 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)

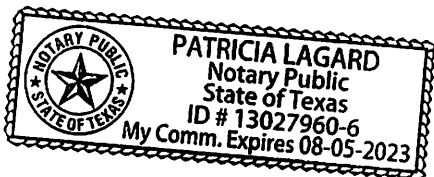
Texas; that the attached notice was published in said newspaper on the following dates:

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

Alice McConaughy
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

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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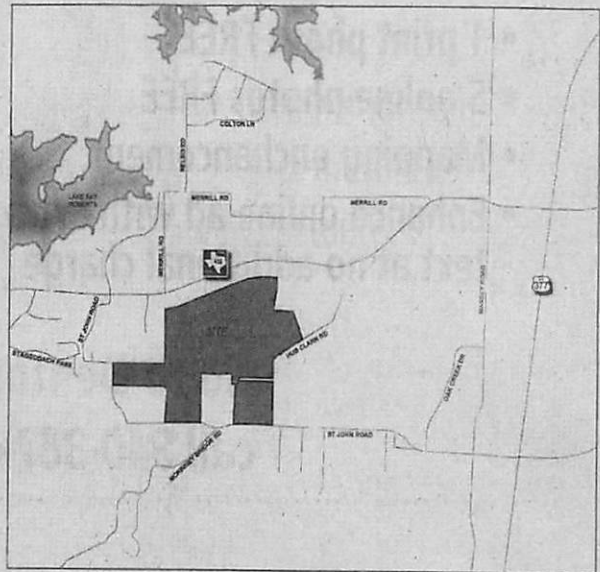
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Issued: January 18, 2023



LOCATION MAP
SCALE: N.T.S.

White Oaks MUD of Denton County

Kimley»Horn
 600 West 12th Street, Suite 100
 Omaha, NE 68102
 402-342-1200
 Fax: 402-342-1201
 Email: info@kimleyhorn.com
 Website: www.kimleyhorn.com

<p>purpose of a provide the met comments a about the holds a public's Executive Director as a is a of public.</p> <p>LOWING REQUEST: s, phone</p>	<p>which is provided at the top of this notice.</p> <p>AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted electronically to www.logotexas.com/onlinecomments</p> <p>Carrollton, TX 75010 intends to hold a public sale to the highest bidder of the property stored at</p>	<p>the following tenants at the storage facility. The sale will occur as an online auction on www.storageauctions.com on 2/21/2023 at 11:00am. Unless otherwise noted, the contents of the contents are household goods and furnishings. Amy Strawn, Service Clerk, Downtown Dallas, 4021 Paige Rd, Carrollton, Broom, Jahmani Alk Peets. All property is being stored at the</p>	<p>above self-storage facility. This sale may be extended at any time without notice. Certain terms and conditions apply. See manager for details.</p> <p>manager for details.</p> <p>Dec 02/05/2023 & 02/12/2023</p>	<p>Notice of Self Storage Sale</p> <p>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</p> <p>940-564-5588 Retail www.DentonDC.com</p>
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Carrollton, TX 75010 intends to hold a public sale to the highest bidder of the property stored by

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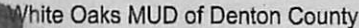
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940-565-6858 Retail
www.DentonRC.com

The seal of the State of Texas, featuring a five-pointed star in the center, surrounded by a wreath, and the words "THE STATE OF TEXAS" in a circular border.

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Issued: January 18, 2023



Ellison County, Texas
November 2022

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

