



Print Form

3711 S. Mopac Expy.
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Austin, Texas 78746
Telephone: (512) 472-8021
Fax: (512) 320-5638
http://www.bickerstaff.com

FAX COVER SHEET

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Date: December 28, 2022

Client # 2435.03

Send to: Office of the Chief Clerk

Firm/Company: TCEQ

Fax Number: 512-239-3311

Phone Number: 512-239-3300

From: Emily Rogers

Total Pages Including Cover Sheet: 3

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Message:

Efiling database having problems:

Please file in re: Application y Treasure Island Laguna Azure LLC to TCEQ for Creation of Grayson County Municipal Utility District No. 6-B, Internal Control Number D-03172022-032, City of Van Alstyne
 GRAYSON COUNTY MUNICIPAL UTILITY DISTRICT 6B



December 28, 2022

REVIEWED
DEC 28 2022
By GCW H

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

Re: Application by Treasure Island Laguna Azure, LLC to the Texas Commission on Environmental Quality for creation of Grayson County Municipal Utility District No. 6-B, TCEQ Internal Control No. D-03172022-032

Dear Chief Clerk Gharis:

The City of Van Alstyne, Texas (the "City") formally requests a contested case hearing on the above-referenced application. Please direct all future correspondence on this application to me, Emily Rogers, attorney for the City, at 3711 S. MoPac Expressway, Building One, Suite 300, Austin, TX 78746. My daytime phone number is (512) 472-8021 and fax number is (512) 320-5638.

Treasure Island Laguna Azure, LLC is applying to the Texas Commission on Environmental Quality (the "TCEQ") for creation of a new municipal utility district entirely within the extraterritorial jurisdiction of the City of Van Alstyne. The City opposes the creation of the proposed district.

The City is an "affected person" entitled to a contested case hearing on issues raised in this hearing request because the City has interests related to legal rights, duties, privileges, powers, or economic interests affected by the application that are not common to the general public and is an affected person under 30 TEX. ADMIN. CODE § 55.256. The proposed municipal utility district will be located wholly within the extraterritorial jurisdiction of the City. The City does not consent to its creation. Pursuant to Texas Water Code § 54.016(a), land within the City's extraterritorial jurisdiction cannot be included within the boundaries of a municipal utility district without the City's consent. For this and additional reasons, local governments, such as the City, with authority under state law over issues contemplated by an application, may be considered affected persons under 30 TEX. ADMIN. CODE § 55.256(b). The City has authority to protect the public health and safety within its extraterritorial jurisdiction and to regulate development within its extraterritorial jurisdiction. TEX. LOC. GOV'T CODE §§ 42.001, 212.044. Various city functions and services – including water and sewer services, emergency services, and health and safety concerns – may be affected by the creation of the district and are not taken into account by the application.

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Page 2

The City has a nearby wastewater treatment plant and the existing infrastructure to transport the wastewater could be upgraded to serve the proposed development. As a regional water and sewer service provider, the City has an interest to ensure that new development in its extraterritorial jurisdiction regionalizes with the existing system to the greatest extent possible in order to protect the public health, safety, and welfare of its citizens, customers, and future customers. See Texas Water Code § 26.081(a). The City therefore has an interest in ensuring the creation and operation of the proposed municipal utility district is protective of the public health and safety within its extraterritorial jurisdiction. Thus, the City has authority under state law over the issues contemplated by this application, has interests not common to the general public, and is therefore an affected person. 30 TEX. ADMIN. CODE § 55.256(b).

For these reasons, the City requests that the Commission find that the City is an affected person and grant its request for a contested case hearing.

Sincerely,



Emily W. Rogers
Attorney for City of Van Alstyne

EWR/rfb

Laurie Gharis

From: eFax Corporate <message@inbound.efax.com>
Sent: Wednesday, December 28, 2022 1:29 PM
To: Fax3311
Subject: Corporate eFax message from "unknown" - 3 page(s)
Attachments: FAX_20221228_1672255755_768.pdf

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Service Notification

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D-03172022
129509

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Monday, September 19, 2022 1:55 PM
To: PUBCOMMENT-OCC2
Subject: FW: Mailing Lists
Attachments: Letter to TCEQ re adding to mailing list for Grayson County MUDs 6A and 6B.pdf

ML

From: CHIEFCLK <chiefclk@tceq.texas.gov>
Sent: Friday, September 16, 2022 2:04 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Mailing Lists

From: Rae Fregeolle-Burk <rfburk@bickerstaff.com>
Sent: Friday, September 16, 2022 1:39 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>
Subject: Mailing Lists

Please see attached letter regarding addition to mailing lists.

Thank you,

Rae Fregeolle-Burk | Legal Assistant | Bickerstaff Heath Delgado Acosta LLP
3711 S. MoPac Expwy | Building One | Suite 300 | Austin, TX | 78746
Phone 512.472.8021 | Fax 512.320.5638

rfburk@bickerstaff.com | www.bickerstaff.com

 **Bickerstaff**
Heath Delgado Acosta LLP



September 16, 2022

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

Re: Addition to Mailing Lists

Dear Ms. Gharis:

The purpose of this letter is to request that I be added to the mailing lists regarding Armin Afzalipour, Treasure Island Laguna Azure, LLC, Grayson County MUD No. 6A (ID Number D03172022031) and Grayson County MUD No. 6B (ID Number D03172022032). My information is as follows:

Emily W. Rogers
Bickerstaff Heath Delgado Acosta LLP
3711 S. MoPac Expwy.
Bldg. 1, Suite 300
Austin, TX 78746
erogers@bickerstaff.com

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads 'Emily W. Rogers'.

Emily W. Rogers

EWR/rfb

Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Friday, May 24, 2024 2:10 PM
To: PUBCOMMENT-OCC2
Subject: CORRECTION FW: Public comment on Permit Number D-03172022-032
Attachments: Bickerstaff Heath Delgado Acosta LLP Notice of Change of Address letter (Grayson 6B)1.pdf

ML

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: PUBCOMMENT-OCC
Sent: Friday, May 24, 2024 2:05 PM
To: PUBCOMMENT-OCC2 <pubcomment-occ2@tceq.texas.gov>; PUBCOMMENT-OPIC <pubcomment-opic@tceq.texas.gov>; PUBCOMMENT-ELD <pubcomment-eld@tceq.texas.gov>; Pubcomment-Dis <Pubcomment-Dis@tceq.texas.gov>
Subject: FW: Public comment on Permit Number D-03172022-032

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

How is our customer service? Fill out our online customer satisfaction survey at:
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From: rfburk@bickerstaff.com <rfburk@bickerstaff.com>
Sent: Friday, May 24, 2024 12:03 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-03172022-032

REGULATED ENTY NAME GRAYSON COUNTY MUD 6B

RN NUMBER: RN111460705

PERMIT NUMBER: D-03172022-032

DOCKET NUMBER:

COUNTY: GRAYSON

PRINCIPAL NAME: GRAYSON COUNTY MUNICIPAL UTILITY DISTRICT 6B

CN NUMBER: CN605997287

NAME: Emily Rogers

EMAIL: rfburk@bickerstaff.com

COMPANY: Bickerstaff Heath Delgado Acosta LLP

ADDRESS: TWO BARTON SKYWAY 1601 S MOPAC EXPWY STE C400
Austin TX 78746

PHONE: 5124728021

FAX:

COMMENTS: Please see attached letter.



May 24, 2024

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

Re: Permit No. 03172022-032; Application by Treasure Island Laguna Azure, LLC to the Texas Commission on Environmental Quality for creation of Grayson County Municipal Utility District No. 6-B

Dear Ms. Gharis:

Please be advised that effective May 20, 2024, the Firm address for Bickerstaff Heath Delgado Acosta LLP has changed. This notice is to apprise all parties that the new Firm address is as follows:

Emily W. Rogers
erogers@bickerstaff.com
Joshua D. Katz
jkatz@bickerstaff.com
Stefanie Albright
salbright@bickerstaff.com
Kimberly Kelley
kkelley@bickerstaff.com

Bickerstaff Heath Delgado Acosta LLP
Two Barton Skyway
1601 S. MoPac Expy., Suite C400
Austin, Texas 78746
(512) 472-5021
(512) 320-5638 (Fax)

All communications with respect to the above-referenced matter, whether formal or informal, and all pleadings and motions or other papers required to be served to counsel, shall be sent or served upon the undersigned counsel at the mail addresses, email addresses, and telephone and telecopy numbers above.

Thank you for your attention to this matter.

Sincerely,

Emily W. Rogers

EWR/rfb