

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 23, 2020

AKR 12/8cc (14)
AG:

CERTIFIED MAIL

Commissioners Court of Burnet County
c/o The Honorable James Oakley
County Judge
220 S. Pierce Street
Burnet, Texas 78611

Re: South Burnet County MUD No. 3
TCEQ Internal Control No. D-10272020-044
CN: 605826221 RN: 111123519

Honorable Judge Oakley:

Information filed with the referenced petition (application) indicates the land (610.522 acres) within the proposed South Burnet County MUD No. 3 (District) is located partially outside the extraterritorial jurisdiction of any municipality and is located, in whole or in part, within your county; therefore, Texas Water Code Section 54.0161, is applicable to this project.

In compliance with Texas Water Code Section 54.0161, notification is hereby given that this application has been filed with the Texas Commission on Environmental Quality (TCEQ). Pursuant to Texas Water Code Section 54.0161, the County Commissioners Court may make a recommendation regarding the creation of the proposed District. The Commissioners Court may submit to the TCEQ its written opinion stating whether it recommends the creation of the proposed District, and any findings, conclusions, and other information that the Commissioners Court thinks would assist TCEQ in making a final determination on the petition. It is requested that the Commissioners Court respond within 30 days from the date this letter if it intends to submit a recommendation regarding the creation of this District.

Texas Water Code Section 54.0161 requires that any written opinion be received by the TCEQ at least 10 days before the date set for the TCEQ to act on the application.

Please note that this opportunity to comment on the application is separate and apart from the right of the Commissioners Court, or any affected person, to protest the application and request a hearing pursuant to Texas Water Code Sections 49.011 and 54.018 and applicable TCEQ rules.

The Honorable James Oakley
Page 2
November 23, 2020

To assist in obtaining information on this project necessary for the Commissioners Court's consideration, the representatives of the Petitioner for the proposed District are provided below.

Mr. Ken Heroy, P.E.
Jones-Heroy & Associates, Inc.
13915 Mopac Expressway, Suite 408
Austin, Texas 78728

Mr. D Ryan Harper
Allen Boone Humphries Robinson, LLP
1108 Lavaca Street, Suite 510
Austin, Texas 78701

If you have any additional questions, please contact Anand Patel of the Districts Creation Review Team at (512) 239-4734, or via email at anand.patel@tceq.texas.gov.

Sincerely,



Cheryl Covone, Team Lead
Districts Creation Review Team
Water Supply Division
Texas Commission on Environmental Quality

CBC/avp

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 23, 2020

CERTIFIED MAIL

Commissioners Court of Burnet County
c/o The Honorable James Oakley
County Judge
220 S. Pierce Street
Burnet, Texas 78611

Re: South Burnet County MUD No. 1
TCEQ Internal Control No. D-10272020-042
CN: 605826296 RN: 111123626

Honorable Judge Oakley:

Information filed with the referenced petition (application) indicates the land (450.102 acres) within the proposed South Burnet County MUD No. 1 (District) is located partially outside the extraterritorial jurisdiction of any municipality and is located, in whole or in part, within your county; therefore, Texas Water Code Section 54.0161, is applicable to this project.

In compliance with Texas Water Code Section 54.0161, notification is hereby given that this application has been filed with the Texas Commission on Environmental Quality (TCEQ). Pursuant to Texas Water Code Section 54.0161, the County Commissioners Court may make a recommendation regarding the creation of the proposed District. The Commissioners Court may submit to the TCEQ its written opinion stating whether it recommends the creation of the proposed District, and any findings, conclusions, and other information that the Commissioners Court thinks would assist TCEQ in making a final determination on the petition. It is requested that the Commissioners Court respond within 30 days from the date this letter if it intends to submit a recommendation regarding the creation of this District.

Texas Water Code Section 54.0161 requires that any written opinion be received by the TCEQ at least 10 days before the date set for the TCEQ to act on the application.

Please note that this opportunity to comment on the application is separate and apart from the right of the Commissioners Court, or any affected person, to protest the application and request a hearing pursuant to Texas Water Code Sections 49.011 and 54.018 and applicable TCEQ rules.

The Honorable James Oakley
Page 2
November 23, 2020

To assist in obtaining information on this project necessary for the Commissioners Court's consideration, the representatives of the Petitioner for the proposed District are provided below.

Mr. Ken Heroy, P.E.
Jones-Heroy & Associates, Inc.
13915 Mopac Expressway, Suite 408
Austin, Texas 78728

Mr. D Ryan Harper
Allen Boone Humphries Robinson, LLP
1108 Lavaca Street, Suite 510
Austin, Texas 78701

If you have any additional questions, please contact Anand Patel of the Districts Creation Review Team at (512) 239-4734, or via email at anand.patel@tceq.texas.gov.

Sincerely,



Cheryl Covone, Team Lead
Districts Creation Review Team
Water Supply Division
Texas Commission on Environmental Quality

CBC/avp

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 23, 2020

CERTIFIED MAIL

Commissioners Court of Burnet County
c/o The Honorable James Oakley
County Judge
220 S. Pierce Street
Burnet, Texas 78611

Re: South Burnet County MUD No. 2
TCEQ Internal Control No. D-10272020-043
CN: 605826247-RN: 111123568

Honorable Judge Oakley:

Information filed with the referenced petition (application) indicates the land (301.213 acres) within the proposed South Burnet County MUD No. 2 (District) is located partially outside the extraterritorial jurisdiction of any municipality and is located, in whole or in part, within your county; therefore, Texas Water Code Section 54.0161, is applicable to this project.

In compliance with Texas Water Code Section 54.0161, notification is hereby given that this application has been filed with the Texas Commission on Environmental Quality (TCEQ). Pursuant to Texas Water Code Section 54.0161, the County Commissioners Court may make a recommendation regarding the creation of the proposed District. The Commissioners Court may submit to the TCEQ its written opinion stating whether it recommends the creation of the proposed District, and any findings, conclusions, and other information that the Commissioners Court thinks would assist TCEQ in making a final determination on the petition. It is requested that the Commissioners Court respond within 30 days from the date this letter if it intends to submit a recommendation regarding the creation of this District.

Texas Water Code Section 54.0161 requires that any written opinion be received by the TCEQ at least 10 days before the date set for the TCEQ to act on the application.

Please note that this opportunity to comment on the application is separate and apart from the right of the Commissioners Court, or any affected person, to protest the application and request a hearing pursuant to Texas Water Code Sections 49.011 and 54.018 and applicable TCEQ rules.

The Honorable James Oakley
Page 2
November 23, 2020

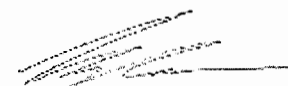
To assist in obtaining information on this project necessary for the Commissioners Court's consideration, the representatives of the Petitioner for the proposed District are provided below.

Mr. Ken Heroy, P.E.
Jones-Heroy & Associates, Inc.
13915 Mopac Expressway, Suite 408
Austin, Texas 78728

Mr. D Ryan Harper
Allen Boone Humphries Robinson, LLP
1108 Lavaca Street, Suite 510
Austin, Texas 78701

If you have any additional questions, please contact Anand Patel of the Districts Creation Review Team at (512) 239-4734; or via email at anand.patel@tceq.texas.gov.

Sincerely,



Cheryl Covone, Team Lead
Districts Creation Review Team
Water Supply Division
Texas Commission on Environmental Quality

CBC/avp

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN WATER QUALITY PERMIT AMENDMENT

PERMIT NO. WQ0011669001

APPLICATION. City of Bertram, P.O. Box 1604, Bertram, Texas 78605, has applied to the Texas Commission on Environmental Quality (TCEQ) to amend Texas Land Application Permit (TLAP) No. WQ0011669001 to authorize an increase in the disposal of treated wastewater to a volume not to exceed a daily average flow of 300,000 gallons per day for the final phase via evaporation and irrigation of 50.8 acres of land, and the addition of a phase. The domestic wastewater treatment facility and disposal area are located at 2110 West State Highway 29, Bertram, in Burnet County, Texas 78605. TCEQ received this application on September 9, 2020. The permit application is available for viewing and copying at Bertram City Hall, 110 East Vaughan Street, Bertram, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and 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=-98.085277%2C30.743888&level=12>

ADDITIONAL NOTICE. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision**

and for requesting a contested case hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.**

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database at www.tceq.texas.gov/goto/cid. Search the database using the permit number for this application, which is provided at the top of this notice.

AGENCY CONTACTS AND INFORMATION. All public comments and requests must be submitted either electronically at <https://www14.tceq.texas.gov/epic/eComment/> or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ's Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at www.tceq.texas.gov/goto/pep. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from City of Bertram at the address stated above or by calling Ms. Georgina Hernandez at 512-355-2197.

Issuance Date: November 10, 2020