

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 11, 2024

Mr. Ryan Harper
ABHR
919 Congress Avenue, Suite 1500
Austin, Texas 78701

Re: Publication of Notice of Petition for Creation of Caldwell County Municipal Utility
District No. 6
TCEQ Internal Control No. D-08082024-012

Dear Mr. Harper:

Enclosed is a copy of the notice for the above petition. Please carefully review the notice for accuracy prior to publication and distribution. Contact Cheyenne Connors in the District Administration Office at 512-239-3583 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.

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If you have any questions regarding these publication requirements, please contact Brad Patterson in this office at 512/239-1201.

Sincerely,

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

Laurie Gharis
Chief Clerk

LG/ ka
Enclosures

cc: To all on attached mailing list.

MAILING LIST

Caldwell County Municipal Utility District No. 6
TCEQ Internal Control No. D-08082024-012

Mr. Ryan Harper
ABHR
919 Congress Avenue, Suite 1500
Austin, Texas 78701

Mr. Joseph Yaklin, P.E.
BGE, Inc.
101 West Louis Hennis Boulevard, Suite
400
Austin, Texas 78728

The Honorable Stan Gerdes
Texas House District 17
Room E2.816
P.O. Box 2910
Austin, Texas 78768

The Honorable Judith Zaffirini
Texas Senate District 21
P.O. Box 12068
Capitol Station
Austin, Texas 78711

Ms. Lori Wilson
TCEQ Region 11
MC Room 11
P.O. Box 13087
Austin Texas 78711-3087

Ms. Teresa Rodriguez
Caldwell County Justice Center
1703 South Colorado Street Box 1, Suite
1200
Lockhart, Texas 78644

Ms. Esmeralda Rangel
City of Lockhart Secretary's Office
P.O. Box 239
Lockhart, Texas 78644

The Honorable Judge Hoppy Haden
Caldwell County Judge
110 S. Main Street, 1st Floor
Lockhart, Texas 78644

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

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

Cheyenne Connors, Districts Creation
Review Team, MC-152

Justin Taack, Technical Manager,
Districts Section, MC-152

Stephanie Desouza, Districts Creation
Review Team, MC-152

Michelle Voytko, Drinking Water
Technical Review, Water Supply
Division, MC-155

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: Caldwell County Municipal Utility District No. 6
TCEQ Tracking No. D-08082024-012 CID Item No. 139087
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.

Notary Public in and for the State of Texas

(Seal)

Print or type Name of Notary Public

My Commission Expires _____

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-08082024-012

PETITION. Political 399 LLC, Amazon Properties, LLC, and Vema Investments, LLC (Petitioners) filed a petition for creation of Caldwell County Municipal Utility District No. 6 (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and Chapter 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The petition states that: (1) the Petitioners hold title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders other than BOM Bank and its lien on the land owned by Political 339 LLC and the lienholder has consented to the creation; (3) the proposed District will contain approximately 477.621 acres located within Caldwell County, Texas; and (4) the proposed District is not within the corporate boundaries or extraterritorial jurisdiction of any city.

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 purposes of and the general nature of the work proposed to be done by the District at the present time is the purchase, design, construction, acquisition, maintenance, ownership, operation, repair, improvement and extension of a waterworks and sanitary sewer system for residential and commercial purposes, and the construction, acquisition, improvement, extension, maintenance and operation of works, improvements, facilities, plants, equipment and appliances helpful or necessary to provide more adequate drainage for the District, and to control, abate and amened local storm waters or other harmful excesses of waters, all as more particularly described in an engineer's report filed simultaneously with the filing of the petition, to which reference is hereby made for more detailed description, and such other purchase, construction, acquisition, maintenance, ownership, operation, repair, improvement and extension of such additional facilities, including roads, systems, plants and enterprises as shall be consistent with all of the purposes for which the 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 from such information as they have at this time, that such cost will be approximately \$64,410,000 (\$54,850,000 for waterworks system, sanitary sewer system, and drainage and storm sewer system projects, and \$9,560,000 for road projects).

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: September 11, 2024

