

**HOUSE OF REPRESENTATIVES
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Natural Resources
For HB 2816

Compiled on: Tuesday, April 25, 2023 9:23 AM

Note: Comments received by the committee reflect only the view of the individual(s) submitting the comment, who retain sole responsibility for the content of the comment. Neither the committee nor the Texas House of Representatives takes a position on the views expressed in any comment. The committee compiles the comments received for informational purposes only and does not exercise any editorial control over comments.

Hearing Date: April 25, 2023 8:00 AM

Ernest Martinek

Citizens Against Ellis County Muds, Inc.

WAXAHACHIE, TX

Requesting Opposition to HB 2816

Reasons:

*Property located in the City and a District is subject to taxation by the City AND the District.

*A District may levy taxes and issue bonds and levy an unlimited rate of tax in payment of such bonds.

*The District may impose a Standby Fee and is secured by a lien on the property for non-payment of imposed fee. A person can lose their house/property.

There are currently 23 MUDs that are coming to Ellis County.

There is a major problem with the following issues related to the current process for approving MUDs and MUD wastewater treatment plants.

Austin does not know the needs of the Cities and Ellis County. All Cities in Ellis County AND Ellis County have signed Resolutions to STOP allowing MUDs!

* The creation of MUDs creates a taxing authority within the MUD. = Taxation Without Representation.

*An approved application exists forever:

There are no performance deadlines for the approved wastewater treatment plant or MUD permits. Infrastructure (or lack of) changes are not considered when MUDs are started years after approval.

Trampling of property rights of surrounding landowners:

TCEQ and MUDs generally disregard nearby landowners' property rights for the benefit of a chosen few.

TCEQ expertise should focus on the environment, water, and wastewater discharge, NOT development:

TCEQ knowledge of property development is limited, especially regarding the potential impact of a MUD development at the local level. The TCEQ permitting process for MUDs requires NO traffic impact analysis, confirmation of available and sufficient surface water from water districts, strains on local volunteer fire districts, health and community services, emergency services, and impact analysis on local school districts. There Must be more oversight on the Policies and Procedures of the TCEQ!

High density developments: High density developments, such as the proposed Shankle Road MUD, create environmental issues with storm water runoff into lakes and streams that will affect drinking water for communities located well beyond the MUD. MUDs alter existing creeks and waterways with discharge of treated sewer water left to the management of the MUD.

Flooding: The proposed Shankle Road MUD wastewater treatment facility is estimated to discharge 500,000 gallons per day of treated wastewater in a very small tributary thus causing additional flooding that already exists in the creek downstream and flooding of downstream farmland and pastures. There are also 3 Muds seeking approval in Western Ellis County creating over 2 MILLION Gallons Per Day discharging into Chambers Creek

ALLOWING THE CONTINUANCE OF THE RUBBER-STAMPING APPROVAL OF MUDS BY THE TCEQ IS DESTROYING THE STATE OF TEXAS LANDSCAPE AS WE KNOW IT.

Sincerely,

Ernest Martinek, President

Citizens Against Ellis County Muds, Inc.

Bernie Martinek

660 Farm

ENNIS, TX

Requesting Opposition of H.B No 2815 and 2816

There is a major problem with the following issues related to the current process for approving Municipal Utility Districts (MUDs) and MUD wastewater treatment plants. There are currently 23 MUDs that are coming to Ellis County.

Here are brief descriptions of the bills.

H.B. 2815 (Jetton) – Water Districts:

*Gives existing MUDs the ability to divide and use engineers to have the full power of infrastructure improvements. This could be abused easily by developers.

*District may be divided.

*May include more land in the District WITHOUT County or City consent.

* May acquire land for a wastewater treatment plant based on Engineers' approval NOT City or County.

*Repeals hearing requirements.

*May exercise eminent domain to acquire land for a WWTP.

H.B. 2816 (Jetton) – Water Code

*Property located in the City and a District is subject to taxation by the City and the District.

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The District may impose a Standby Fee which is secured by a lien on the property for non-payment of imposed fee.

- The creation of MUDs creates a taxing authority within the MUD. = Taxation Without Representation.
- An approved application exists forever: There are no performance deadlines for the approved wastewater treatment plant or MUD permits. Infrastructure (or lack of) changes are not considered when MUDs are started years after approval.
- Trampling of property rights of surrounding landowners: TCEQ and MUDs generally disregard nearby landowners' property rights for the benefit of a chosen few.
- TCEQ expertise should focus on the environment, water, and wastewater discharge, NOT development: TCEQ's knowledge of property development is limited, especially regarding the potential impact of a MUD development at the local level. The TCEQ permitting process for MUDs requires NO traffic impact analysis, confirmation of available and sufficient surface water from water districts, strains on local volunteer fire districts, health and community services, emergency services, and impact analysis on local school districts.
- High-density developments: High-density developments, such as the proposed Shankle Road MUD, create environmental issues with stormwater runoff into lakes and streams that will affect drinking water for communities located well beyond the MUD.
- MUDs alter existing creeks and waterways with the discharge of treated sewer water left to the management of the MUD.
- Flooding: The proposed Shankle Road MUD wastewater treatment facility is estimated to discharge 500,000 gallons per day of treated wastewater in a very small tributary thus causing additional flooding that already exists in the creek downstream and flooding of downstream farmland and pastures.

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Jennifer Cole

Self

Ferris, TX

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Flooding: The proposed Shankle Road MUD wastewater treatment facility is estimated to discharge 500,000 gallons per day of treated wastewater in a very small tributary thus causing additional flooding that already exists in the creek downstream and flooding of downstream farmland and pastures.

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Mary Warner

Self

Ennis, TX

Subject: Requesting Opposition of H.B No 2815 and 2816

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Sincerely,

Citizen Against Ellis County

Kevin Cole

Self

Ferris, TX

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Lori Bowers

Self

Ferris, TX

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Leah Martinek

Citizens Agains MUDs

Waxahachie, TX

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Sincerely,

Citizen Against Ellis County Muds, Inc.

Joann Needham jones

Self - self employed

Ennis, TX

Stop the MUDS !

Jeff Pouzar
Self, land owner
Ennis, TX

I oppose this bill.

Sincerely,
Jeff Pouzar

Daniel Hunter
Citizens against MUD
Ennis, TX

Requesting opposition to this bill

Tiffany Davis

Self

Ennis, TX

Subject: Requesting Opposition of H.B No 2815 and 2816

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Sincerely

Joe Crow

Joe M Crow

Ennis, TX

I am against this bill.

Larry Honza

Citizen Against Ellis County Muds Inc.

Ennis, TX

Vote No on H.B.2816

Randall Zink

Citizens Against Ellis County Muds, Inc.

Palmer, TX

There is a major problem with the following issues related to the current process for approving MUDs and MUD wastewater treatment plants. There are currently 23 MUDs that are coming to Ellis Count Please help us protect our county from the irresponsible invasion by MUD's without regard to how they will destroy the quality of life for so many. There is a place for MUDs but they must be scrutinized and looked at case by case instead of automatic approval by TCEQ. Please help us protect our county.

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I oppose this bill, Allowing the continuance of the rubber-stamping approval of MUDS by the TCEQ is DESTROYING THE STATE OF TEXAS LANDSCAPE AS WE KNOW IT.

Comments for HB 2815 by Jetton (3000 character limit) *

2567/3000

Cheryl Zink

Citizens Against Ellis County Muds, Inc.

Palmer, TX

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