



**FARMERS
BRANCH**

May 11, 2015

The Honorable Don Huffines
P.O. Box 12068
Austin, TX 78711

Dear Senator Huffines,

As you know from earlier correspondence, the City of Farmers Branch has been working with the Texas Commission on Environmental Quality (TCEQ) to resolve a dispute with the Town of Addison concerning its Water Permit #5383A that involves Addison's commencement of construction before permit issuance and its repeated violation of its terms thereafter. We are writing to request your help.

The TCEQ has agreed that Addison has been in violation of its permit and has initiated an enforcement action, but Addison's response has been, rather than comply with its permit, to seek to amend it, without public notice and opportunity for hearing, to authorize the activities presently proscribed. That amendment would not only bless Addison's non-compliance, it would result in a degradation of the quality of Farmers Branch Creek.

We request your help to the TCEQ to uphold the original permit and not engage in a "back door" process that excludes participation of the residents of Farmers Branch.

Please see the attached correspondence from Representative Anchia which is an example of the type of inquiry that we request from your office. A call from your office could also help in our efforts.

Thank you for your efforts on this important matter. Please feel free to contact me anytime with any further questions.

Sincerely,

A handwritten signature in blue ink that reads "Gary D. Greer". The signature is fluid and cursive, with a large initial "G" and "D".

Gary D. Greer
City Manager

cc: City Council
Jeff Civins, Haynes & Boone
Website – FB Creek



STATE OF TEXAS
HOUSE OF REPRESENTATIVES
DISTRICT 103

RAFAEL ANCHIA

MEMBER

May 6, 2015

Mr. James Sallans, Legal
Mr. Ron Ellis, Manager, Water Rights Permitting Section
Dr. Kathy Alexander, Technical Specialist
Ms. Chris Peters, Water Rights
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Mr. Tony Walker, Director, Region 4
Mr. Jeff Tate, Section Manager - Water
Texas Commission on Environmental Quality
2309 Gravel Drive
Fort Worth TX 76118-6951

Re: Addison Water Use Permit No. 5383A – Farmers Branch Creek

Dear Mr. Sallans, Mr. Ellis, Dr. Alexander, Ms. Peters, Mr. Walker, and Mr. Tate:

My district encompasses both portions of the City of Farmers Branch and the residences of many of its citizens. My constituents have shared with me their concern with what they describe as Addison's ongoing non-compliance with the terms of the referenced permit, relating to its Vitruvian Park development, and the impact of that failure on Farmers Branch Creek and on the Farmers Branch community. I very much appreciate each of you taking the time to meet with representatives of the City of Farmers Branch, including its Mayor and City Manager, and several of its residents, on Monday, March 30. I understand that the meeting was a productive one and that the City and the landowners sent a follow-up letter, on April 6, detailing their concerns and requesting action by the agency to address them. I am writing in support of their request.

In sum, I believe that the agency, consistent with its authority and responsibilities, should evaluate the concerns presented by my constituents and the actions taken by the City of Addison accordingly, and should impose whatever sanctions deemed necessary as a result of that evaluation to deter noncompliance.

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Mr. Sallans, etal.
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Any amendment process granted by TCEQ, assuming the agency considers Addison's request, should be transparent and open to the public – including public notice, opportunity for comment, and hearing – and should be separate and apart from the agency's enforcement action, which should proceed expeditiously. The integrity of the agency's water permitting regime and the water quality of Farmers Branch Creek are at stake.

Please keep my office informed of pertinent ongoing actions. Thank you for your continued attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Rafael Anchia". The signature is written in a cursive style with a large initial "R".

Rafael Anchia
Texas State Representative
District 103