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**TEXAS STATE SOIL AND WATER CONSERVATION BOARD**  
**WHARTON REGIONAL OFFICE**  
*Protecting and Enhancing Natural Resources for Tomorrow*

January 25, 2024

**CERTIFIED MAIL/RETURN RECEIPT REQUESTED**

Benjamin Flores  
2500 Hamman Road  
Bay City, Texas 77414

Re: Complaint #316-24-01  
TCEQ Complaint Incident # 413467  
Agriculture Non-Point Source  
Matagorda County SWCD #316  
Matagorda County, Texas

Dear Mr. Flores,

On January 10, 2024, the Texas State Soil and Water Conservation Board (TSSWCB) Wharton Regional Office (WRO) received a complaint referral from the Texas Commission on Environmental Quality (TCEQ) Region 12 Office in Houston concerning your operation at 2500 Hamman Road in Bay City in Matagorda County. The complaint was that an Animal Feeding Operation (AFO) does not have the required water quality permit, it does not have a retention control structure, it has contaminates running into the creek, and it is not maintaining proper buffers from neighboring water wells.

On January 18, 2024, Chase Meyer and I from the TSSWCB WRO met with you to investigate the complaint. There were 3 large Meishan hogs, weighing about 450 pounds, in a 50 foot by 100 foot electric fence paddock. There were 28 small potbelly pigs, weighing about 40 pounds, and about 50 chickens in an 82 foot by 82 foot electric fence paddock. The electric fences are portable, so you move the fences to move the animals to a new paddock area. You rotate to maintain a good grass cover and plant a cover crop mixture on the areas after the animals are rotated off. You maintain a 10 foot strip next to your property line that you do not put animals on. You plan to develop a riparian herbaceous cover strip next to the creek to filter any potential nutrient runoff. During the investigation no offensive odor was detected.

We determined you have a pasture swine and poultry operation and therefore you are not an AFO and do not need a permit or a retention control structure. There are no well buffer requirements for pasture operations. We were informed that there are City of Bay City ordinances concerning pigs inside the city limits, but the TSSWCB does not deal with this. You signed a TSSWCB Request for Water Quality Management Planning Assistance for a Water Quality Management Plan (WQMP) that, once the WQMP is completed, will be certified by the TSSWCB.

We appreciate your cooperation with us during this investigation. Should clarification of this letter be necessary or if we may be of further assistance, please do not hesitate to contact me at the phone number and/or address shown below.

Sincerely,

Lawrence Brown, Jr.  
Wharton Regional Manager

Cc: Matagorda County Soil and Water Conservation District #316  
Lee Munz, Regional Office Coordinator, TSSWCB  
Tony Franklin, Field Representative, TSSWCB