



SOUTHEAST TEXAS HOUSING FINANCE CORPORATION

April 23, 2024

The Honorable Lori Klien Quinn
City of Tomball Mayor's Office
401 Market Street
Tomball, TX 77375

RE: **Bay Terrace Apartments-Baytown**
Issuance of Tax-Exempt Bond Financing
The Southeast Texas Housing Finance Corporation

Dear Mayor Quinn:

Please find enclosed:

- **General and No Litigation Certificate**

These documents represent the Approval for the Issuance of Tax-Exempt Bonds for the acquisition and rehabilitation of Bay Terrace Apartments-Baytown.

Please **sign two (2) copies** of each of the **General and No Litigation Certificate**. Please return as soon as possible using the pre-paid Fed-Ex Envelope included in this packet.

NOTE: The date line on the General and No Litigation Certificate does not require your attention. The State of Texas' Attorney General's Office will date those forms when appropriate.

I have also included for your review a copy of:

- **Resolution of No Objection from The City of Baytown**
- **Certificate of Hearing Officer**

If you or your staff have any questions, please do not hesitate to contact me at 281-484-4663 ext. 108; rwilliams@sethfc.com, or Candace Carrier-Spencer at 281-484-4663 ext. 107; ccspencer@sethfc.com.

Sincerely,

Ron Williams
Executive Director

xc: Ms. Sherrie Meicher, SETH Director (w/o Attachments)

NOTE: Neither the State of Texas Attorney General's Office nor the Housing Finance Corporation's Act requires a Resolution of Approval by City Council's or Commissioners' Courts. SETH must obtain approval from all twenty (20) of its jurisdictions for the issuance of any tax-exempt bonds.

GENERAL AND NO LITIGATION CERTIFICATE OF THE CITY OF TOMBALL

We hereby certify that we are duly elected or appointed and acting officers of the City of Tomball, Texas (the “City”). We do hereby further certify that:

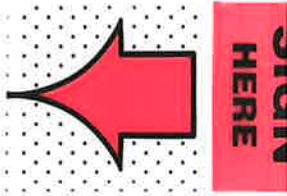
1. This Certificate is for the benefit of the Attorney General of the State of Texas (the “Attorney General”) and all persons interested in the validity of the proceedings of The Southeast Texas Housing Finance Corporation (the “Corporation”) related to the issuance by the Corporation of its tax-exempt obligations for the Bay Terrace Apartments project, to be issued in one or more series in an aggregate principal amount not to exceed \$22,500,000 (the “Bonds”).
2. The City Council (the “Governing Body”) of the City authorized the membership of the City in the Corporation, a joint housing finance corporation created pursuant to the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code, as amended (the “Act”), and approved the Corporation’s articles of incorporation (and all amendments thereto).
3. The City has appointed Sherrie Meicher to act as a member of the board of directors of the Corporation. The individual is a resident of a city or county which is a member of the Corporation.
4. The Governing Body has taken no action pursuant to the Act, including Section 394.016(c) thereof, or otherwise, to limit the effectiveness of the resolution authorizing the issuance of the Bonds or in any way affecting the proceedings relating to the issuance of the Bonds.
5. The Governing Body has not created any other Corporation that currently has the power to make home mortgages or loans to lending institutions, the proceeds of which are to be used to make home mortgage or loans on residential developments.
6. No litigation is pending, or to our knowledge threatened, in any court in any way affecting the existence of the Corporation or seeking to restrain or to enjoin the issuance, sale or delivery of the Bonds, or in any way contesting or affecting the validity or enforceability of the Bonds or the financing documents to which the Corporation is a party, or contesting in any way the completeness or accuracy of any disclosure document prepared in connection with the issuance of the Bonds, or contesting the powers of the Corporation or its authority with respect to the financing documents to which it is party.
7. Each of the undersigned officers of the City hereby certifies that he or she is the duly elected or appointed incumbent of the office appearing below his or her signature and that the signature of the other officer appearing below is the true and correct signature of such person.
8. The Attorney General of the State of Texas is hereby authorized and directed to date this Certificate concurrently with the date of his approval of the Bonds and this Certificate shall be deemed for all purposes to be accurate and correct on and as of that date and on and as of the date of the initial issuance and delivery of the Bonds to the initial purchasers thereof.

9. By his or her signature hereto, the undersigned representative of the Governing Body assumes no liability whatsoever with respect to the Bonds. The Bonds are not an indebtedness of the Governing Body or the City and the Governing Body and the City shall have no liability therefor.

[Remainder of Page Intentionally Left Blank]

CITY OF TOMBALL, TEXAS

By _____
Mayor Lori Klein Quinn



ATTEST

By _____
[Deputy] City Clerk



DATED: _____
[TO BE DATED BY ATTORNEY
GENERAL OF THE STATE OF TEXAS]

CITY OF TOMBALL, TEXAS

By _____
Mayor Lori Klein Quinn



ATTEST

By _____
[Deputy] City Clerk



DATED: _____
[To Be Dated By Attorney
General of the State of Texas]

RESOLUTION NO. 2872

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, REGISTERING ITS SUPPORT OF ATRIUM BAY TERRACE HOUSING, LP'S PROPOSED ACQUISITION AND REHABILITATION OF THE BAY TERRACE APARTMENTS AND POSSIBLE ALLOCATION OF 4% LOW INCOME HOUSING TAX CREDIT FOR THE PROJECT; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, Atrium Bay Terrace Housing, LP, is seeking the City's support for the allocation of 9% LIHTC for its proposed acquisition and rehabilitation of 130 affordable rental housing units located at 1502 Nolan Road in the corporate limits of the City of Baytown, Harris County, Texas (the "Project"); and

WHEREAS, Resolution No. 1913 of the City Council of the City of Baytown, opposes any additional low income housing tax credit ("LIHTC") units within the City; and

WHEREAS, Resolution No. 2087 amends Resolution No. 1913 to provide a limited exception that allows the City Council to consider the approval of an application for low income housing tax credit units associated with the Texas Department of Housing and Community Affairs' Low Income Housing Tax Credit Program; and

WHEREAS, the Project in the City's corporate limits does not create new subsidized housing but merely proposes to upgrade the existing housing stock; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That in accordance with the requirements of Tex. Gov't Code §2306.67071 and Texas Administrative Code §11.204(4), the City Council hereby finds that:

- a. notice was provided to the City Council in accordance with Tex. Gov't Code, §2306.67071(a); and
- b. the City Council has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development; and
- c. on December 14, 2023, the City Council held a hearing at which public comment may be made on the proposed Project in accordance with Tex. Gov't Code, §2306.67071(b); and
- d. after due consideration of the information provided by Atrium Bay Terrace Housing, LP, and public comment, the City Council supports the proposed application for the allocation of 4% LIHTC for the Project.

Section 2: That the City Council hereby approves and expresses its support of the acquisition and proposed rehabilitation of the Bay Terrace Apartments pursuant to Tex. Gov't Code §2306.6703(a)(4); and

Section 3: That the City, acting through its governing body, hereby confirms that, upon successful award of the 2023 Competitive 4% Housing Tax Credits, the City commits to providing reduced fees or a contribution of other value that equals a minimum of \$500 for the benefit of Bay Terrace Apartments.

Section 4. That the City Clerk is hereby authorized and directed to send a certified copy of this resolution to the Texas Department of Housing and Community Affairs.

Section 5: This resolution shall take effect immediately from and after its passage by the City Council of the City of Baytown, Texas.

INTRODUCED, READ and PASSED by the City Council of the City of Baytown this the 14th day of December, 2023.

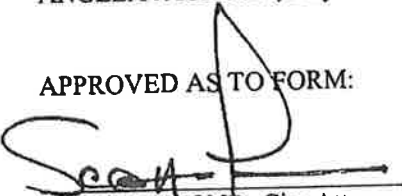
ATTEST:


ANGELA JACKSON, City Clerk




BRANDON CAPETILLO, Mayor

APPROVED AS TO FORM:


SCOTT LEMON, City Attorney

CERTIFICATE OF HEARING OFFICER

I, the undersigned, acting as hearing officer (the "*Hearing Officer*"), do hereby make and execute this certificate for the benefit of all persons interested in the proposed issuance of one or more series of tax-exempt obligations by The Southeast Texas Housing Finance Corporation in an aggregate principal amount not to exceed \$22,500,000 (the "*Bonds*") for the benefit of Atrium Bay Terrace, Limited Partnership, or an affiliate thereof, in connection with the acquisition, rehabilitation and equipping of an approximately 130-unit multifamily housing development located at 1502 Nolan Road, Baytown, Texas 77520 (the "*Development*").

I hereby certify as follows:

1. That I am the duly appointed Hearing Officer for the public hearing that was held on March 21, 2024, at 11:03 a.m. Central time telephonically whereby all interested persons could monitor and participate in the hearing by calling (800) 504-4496 (a toll-free telephone number) and entering 4844663, followed by a pound key (#), in connection with the issuance of the Bonds.

2. That notice of the public hearing was published no less than seven days before the date of the public hearing in a newspaper or newspapers of general circulation available to residents of the Texas Counties of Austin, Brazoria, Chambers, Galveston, Liberty, Matagorda, Walker, Waller and Wharton and the Texas Cities of Baytown, Deer Park, Dickinson, La Marque, La Porte, League City, Pasadena, Santa Fe, Shoreacres, Texas City and Tomball, as described in *Exhibit A* attached hereto; the notice included the date, time and place of the public hearing, the location, a description of the Development and the maximum aggregate principal amount of the Bonds.

3. That all interested persons who attended the public hearing telephonically were given an opportunity to comment on the proposed issuance of the Bonds and the Development. The names and comments of all interested persons appearing at the public hearing, if any, are set forth in *Exhibit A* attached hereto.

4. That after giving all interested persons an opportunity to attend the hearing telephonically by dialing into the toll-free telephone conference line number noted above and comment, the public hearing was declared closed.

5. That copies of the affidavits of publication of notice of public hearing are set forth in *Exhibit B* attached hereto.

[Remainder of Page Intentionally Left Blank]

WITNESS MY HAND this 21st day of March, 2024.

A handwritten signature in black ink, appearing to read 'Ron Williams', written over a horizontal line.

Ron Williams, Hearing Officer

EXHIBIT A

MINUTES OF PUBLIC HEARING

A public hearing was held by The Southeast Texas Housing Finance Corporation (the "Issuer") telephonically whereby all interested persons could monitor and participate in the hearing by calling (800) 504-4496 (a toll-free telephone number) and entering 4844663, followed by a pound key (#), on March 21, 2024, beginning at 11:30 a.m. Central time.

The hearing was held with respect to the proposed issuance by the Issuer of not to exceed \$22,500,000 of tax-exempt obligations in one or more series (the "Bonds") in satisfaction of the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, regarding the public approval prerequisite to the excludability of the interest on the Bonds from gross income for federal income tax purposes.

The notice of public hearing published in the *Houston Chronicle* on March 12, 2024 and in *The Baytown Sun* on March 12, 2024 indicated that the proceeds of the Bonds will be used to finance the acquisition, rehabilitation and equipping of the Bay Terrace Apartments (the "Development"), to be located within the City of Baytown, Texas, by Atrium Bay Terrace, Limited Partnership, or an affiliate thereof (the "Borrower").

Present at the hearing on behalf of the Issuer were Ron Williams, the hearing officer for the Issuer (the "Hearing Officer") and Candace Carrier-Spencer, executive assistant, of the Issuer. Others present were Ryan J. Bowen, Nora O'Brien and Michelle Krofel of Chapman and Cutler LLP, bond counsel, Amber Seely-Marks of National Affordable Housing Trust, and Steve Anderson and Andrew Fritzhall of Atrium Housing, Inc., an affiliate of the Borrower.

The Hearing Officer called the meeting to order and asked if there were any interested persons present who wished to express their views with respect to the issuance of the Bonds, or the Development being financed.

No one expressed an interest to speak.

Whereupon the Hearing Officer closed the public hearing at 11:45 a.m.

EXHIBIT B

AFFIDAVITS OF PUBLICATION OF NOTICE OF PUBLIC HEARING

[illegible]

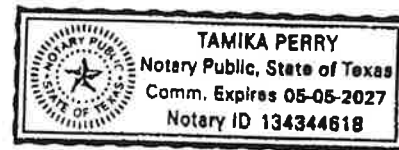
Victoria Bond

NEWSPAPER REPRESENTATIVE

Sworn and subscribed to before me, this 12th Day of March A.D. 2024

Tamika Perry

Notary Public in and for the State of Texas



THE SOUTHEAST TEXAS HOUSING FINANCE CORPORATION

NOTICE OF PUBLIC HEARING

In accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") and Section 394.9025 of the Texas Housing Finance Corporations Act, Chapter 394, Texas Local Government Code, as amended, notice is hereby given that The Southeast Texas Housing Finance Corporation (the "Corporation") will hold a public hearing telephonically at 11:30 a.m. Central time on Thursday, March 21, 2024. All persons interested may monitor and participate in the hearing by calling (800) 504-4499 (a toll-free telephone number) and entering 4844663, followed by a pound key (#) promptly at 11:30 a.m. Central time on Thursday, March 21, 2024. The Corporation's designated hearing officer will conduct the hearing on behalf of the Texas Counties of Austin, Brazoria, Chambers, Galveston, Liberty, Matagorda, Walker, Waller and Wharton and the Texas Cities of Baytown, Deer Park, Dickinson, La Marque, La Porte, League City, Pasadena, Santa Fe, Shoreacres, Texas City and Tomball (the "Sponsoring Political Subdivisions").

The purpose of the hearing is to provide residents of the Sponsoring Political Subdivisions an opportunity to comment on the proposed issuance by the Corporation of its tax-exempt obligations to be issued in one or more series pursuant to Section 142(a)(7) of the Code (the "Bonds") in an aggregate principal amount of not more than \$22,500,000. The Bonds will be issued for the benefit of Atrium Bay Terrace, Limited Partnership or an affiliate thereof (the "Borrower"), in connection with the acquisition, rehabilitation and equipping of a multifamily housing development known as Bay Terrace Apartments located at 1502 Nolan Road, City of Baytown, Texas 77520 and consisting of approximately 130 units (the "Development"). The Borrower will own the Development. It is anticipated that a wholly-owned affiliate of Southeast Texas Multifamily Resources, Inc., an affiliate of the Corporation, will own the land on which the Development will be located and lease such land to the Borrower. Further, it is anticipated that the general partner of the Borrower will be wholly-owned by Southeast Texas Multifamily Resources, Inc.

The Bonds will be limited obligations of the Corporation, payable solely from the revenues, receipts and resources of the Corporation pledged to their payment. The Bonds will not constitute an indebtedness or obligation of any of the Sponsoring Political Subdivisions (or any other city, county or other municipal or political corporation or subdivision of the State of Texas) or of the State of Texas, or a loan of credit of any of them, within the meaning of any constitutional or statutory provision.

All interested persons are invited to attend the hearing and present written or oral comments on the proposed issuance of the Bonds. Questions or written comments prior to 4:00 p.m. Central time on Wednesday, March 20, 2024 may be directed to The Southeast Texas Housing Finance Corporation, 11111 South Sam Houston Parkway East, Houston, Texas 77069, Attention: Ron Williams at (281) 484-4663, ext. 108 or via e-mail at rwilliams@sehtfc.com.

The Baytown Sun
1301 Memorial Drive
Baytown, Texas 77520
281-422-8302

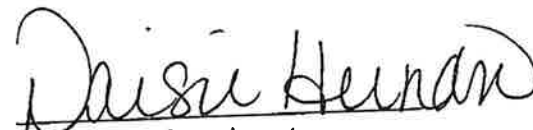
AFFIDAVIT OF PUBLICATION

Miller Advertising Agency, Inc.
909 Third Ave. 15th Floor
New York, NY 10022
Attn: Robert Heniff

COUNTY OF HARRIS

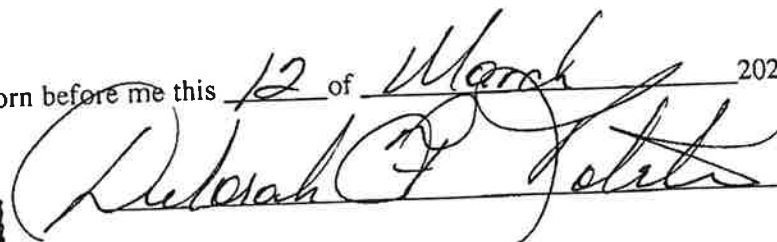
Reference: The Southeast Texas Housing Finance Corporation Public Hearing – Bay
Terrace Apartments, 1502 Nolan Rd.

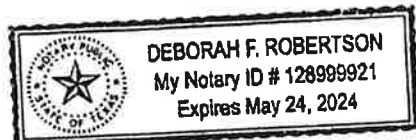
Before me, the undersigned authority, on this day personally appeared, Daisie Herndon
who being duly sworn, deposes and says that she is an agent of the Baytown Sun: that
said newspaper is regularly published in Harris County and generally circulated in Harris
and Chambers Counties, Texas: that the attached notice was published on the following
date.


Daisie Herndon, Agent

Printed: March 12, 2024

Subscribed and sworn before me this 12 of March 2024 AD





**THE SOUTHEAST TEXAS HOUSING FINANCE CORPORATION
NOTICE OF PUBLIC HEARING**

In accordance with Section 147(l) of the Internal Revenue Code of 1986, as amended (the "Code") and Section 394.9025 of the Texas Housing Finance Corporations Act, Chapter 394, Texas Local Government Code, as amended, notice is hereby given that The Southeast Texas Housing Finance Corporation (the "Corporation") will hold a public hearing telephonically at 11:30 a.m. Central time on Thursday, March 21, 2024. All persons interested may monitor and participate in the hearing by calling (800) 504-4496 (a toll-free telephone number) and entering 4844663, followed by a pound key (#) promptly at 11:30 a.m. Central time on Thursday, March 21, 2024. The Corporation's designated hearing officer will conduct the hearing on behalf of the Texas Counties of Austin, Brazoria, Chambers, Galveston, Liberty, Matagorda, Walker, Waller and Wharton and the Texas Cities of Baytown, Deer Park, Dickinson, La Marque, La Porte, League City, Pasadena, Santa Fe, Shoreacres, Texas City and Tomball (the "Sponsoring Political Subdivisions").

The purpose of the hearing is to provide residents of the Sponsoring Political Subdivisions an opportunity to comment on the proposed issuance by the Corporation of its tax-exempt obligations to be issued in one or more series pursuant to Section 142(a) (7) of the Code (the "Bonds") in an aggregate principal amount of not more than \$22,500,000. The Bonds will be issued for the benefit of Atrium Bay Terrace, Limited Partnership or an affiliate thereof (the "Borrower"), in connection with the acquisition, rehabilitation and equipping of a multifamily housing development known as Bay Terrace Apartments located at 1502 Nolan Road, City of Baytown, Texas 77520 and consisting of approximately 130 units (the "Development"). The Borrower will own the Development. It is anticipated that a wholly-owned affiliate of Southeast Texas Multifamily Resources, Inc., an affiliate of the Corporation, will own the land on which the Development will be located and lease such land to the Borrower. Further, it is anticipated that the general partner of the Borrower will be wholly-owned by Southeast Texas Multifamily Resources, Inc.

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All interested persons are invited to attend the hearing and present written or oral comments on the proposed issuance of the Bonds. Questions or written comments prior to 4:00 p.m. Central time on Wednesday, March 20, 2024 may be directed to The Southeast Texas Housing Finance Corporation, 11111 South Sam Houston Parkway East, Houston, Texas 77089, Attention: Ron Williams at (281) 484-4663, ext. 108 or via e-mail at rwilliams@sethfc.com.

GARAGE SALES

Big Spring Sale
Mont Belvieu
Methodist Church
10629 Eagle Ct.
(FM 3160)
Thurs/Fri 8-4pm & Sat
8-11am. Great prices.

Cars

2003 Porsche Box-
ster Convertible,
Catalyst 2D, 6-Cyl,
2.7 Liter. \$10,000.
832-597-5963

Boats/Marine

Minnkota Saltwa-
ter Trolling Motor; 24
volt, 70 lbs of thrust,
bow mount & powder
coated. Used very lit-
tle, excellent condi-
tion. \$600 Cash

Mobile Home
Rentals

16X80 3/2" with appl
& utilities. No pets.
quiet neighborhood.
\$1200.mo \$1,000 dep
346-263-0044

Handyman
Services

'HAULING HUNK'
Will haul-off trash,
debris, buildings &
junk. 281-420-2281

Tree Services

AAA Quality Tree
Trim & Removal
For low rates call
281-420-2281

Healthcare

Baytown - home care
Live in responsible
lady, salary negotia-
ble. 832-984-4580

Legal Notices

Goose Creek
Consolidated
School District
(GCCISD) is accept-
ing proposals from
qualified vendors
in response to RFP
#24-009 for Beverage
Age Vending Ser-
vices. Responses
must be submitted
by 12:00 p.m. (CST)
on Tuesday, April
09, 2024. Interested
vendors may access
the district's online
bidding portal at
www.goodsbidgum-
ching. Questions
may be sent to Phil-
ip Hill at philip.hill@
gccisd.net.

Legal Notices

NOTICE TO
BIDDERS
CITY OF BAYTOWN

Annual Janitorial
Services for Criminal
Justice Information
Services (CJIS) City
Facilities Contract

BID NUMBER:
PB 093-24

Bids will be received
by the Purchasing
Department of the
City of Baytown until
Wednesday, March
27, 2024, 2:00 p.m.,
utilizing QuestCDN.
A mandatory pre-bid
meeting is sched-
uled for March 14,
2024, 8 a.m. City of
Baytown, City Hall,
Council Chambers,
2401 Market St.,
Baytown, TX 77520
Bid documents and
instructions to create
a user ID and submit
your bid are available
at www.baytown.org.
For more information
please email quash@baytown.org.

Legal Notices

In accordance with
provisions of State
of Texas law, there
being due and unpaid
charges for which the
undersigned is enti-
tled to a lien of the goods
hereinafter described
and stored at the
Storage King USA
location listed below,
and due notice hav-
ing been given to the
owner of said prop-
erty and all parties
known to claim an
interest therein, and
the same time spec-
ified in such notice
for payment of such
having expired, the
goods will be sold to
the highest bidder or
otherwise disposed
of at a public auc-
tion to be held online
at www.StorageKingUSA.com which
will end on March 26,
2024 @9:00am. Stor-
age King USA store
051 @ 120 S Alex-
ander Dr. Baytown,
TX 77520. PH # 281-
832-2960. Is posting
an auction at www.StorageKingUSA.com which will end on
March 26, 2024
@9:00am.
Michael Basset
household goods.
Manique Julius
household goods.
Jazz Lado
household goods.
Joshua Mathis-
household goods.

Auto Service

Commercial Vehicle
Tire Services
Houston Auto
Appraisers

www.Truck2Tires.com
1-877-845-2368

Legal Notices

THE SOUTHEAST TEXAS HOUSING FINANCE CORPORATION
NOTICE OF PUBLIC HEARING

In accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") and Section 384.9025 of the Texas Housing Finance Corporations Act, Chapter 384, Texas Local Government Code, as amended, notice is hereby given that The Southeast Texas Housing Finance Corporation (the "Corporation") will hold a public hearing telephonically at 11:30 a.m. Central time on Thursday, March 21, 2024. All persons interested may monitor and participate in the hearing by calling (800) 504-4463 (a toll-free telephone number) and entering 484-4663, followed by a sound key (#) promptly at 11:30 a.m. Central time on Thursday, March 21, 2024. The Corporation's designated hearing officer will conduct the hearing on behalf of the Texas Counties of Austin, Brazoria, Chambers, Galveston, Liberty, Matagorda, Walker, Waller and Wharton and the Texas Cities of Baytown, Deer Park, Dickinson, La Marque, La Porte, League City, Pasadena, Santa Fe, Shoreacres, Texas City and Tomball (the "Sponsoring Political Subdivisions").

The purpose of the hearing is to provide residents of the Sponsoring Political Subdivisions an opportunity to comment on the proposed issuance by the Corporation of its tax-exempt obligations to be issued in one or more series pursuant to Section 142(a) (7) of the Code (the "Bonds") in an aggregate principal amount of not more than \$25,000,000. The Bonds will be issued for the benefit of Autumn Bay Terrace, Limited Partnership or an affiliate thereof (the "Borrower"), in connection with the acquisition, rehabilitation and equipping of a multifamily housing development known as Bay Terrace Apartments located at 1502 Nolan Road, City of Baytown, Texas 77520 and consisting of approximately 130 units (the "Development"). The Borrower will own the Development. It is anticipated that a wholly-owned affiliate of Southeast Texas Multifamily Resources, Inc., an affiliate of the Corporation, will own the land on which the Development will be located and lease such land to the Borrower. Further, it is anticipated that the general partner of the Borrower will be wholly-owned by Southeast Texas Multifamily Resources, Inc.

The Bonds will be limited obligations of the Corporation, payable solely from the revenues, receipts and resources of the Corporation pledged to their payment. The Bonds will not constitute an indebtedness or obligation of any of the Sponsoring Political Subdivisions (or any other city, county or other municipal or political corporation or subdivision of the State of Texas) or of the State of Texas, or a loan of credit of any of them, within the meaning of any constitutional or statutory provision.

All interested persons are invited to attend the hearing and present written or oral comments on the proposed issuance of the Bonds. Questions or written comments prior to 4:00 p.m. Central time on Wednesday, March 20, 2024 may be directed to The Southeast Texas Housing Finance Corporation, 11111 South Sam Houston Parkway East, Houston, Texas 77059. Attention: Ron Williams at (281) 484-4663, ext. 108 or via e-mail at rwilliams@seahfc.com.

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Texas State Commission on Environmental Quality

NOTICE OF RECEIPT OF APPLICATION AND ATTEMPTING TO OBTAIN PERMISSION FOR WATER QUALITY RENOVATION

PERMIT NO. WQ00_15052001

REQUEST. Jivanji Noman Burhani at 4715 N Pine Brook Way Houston, TX 77059 has applied to the Texas State Commission on Environmental Quality (TCEQ) to renew Permit No. WQ00_15052001 (EPA I.D. No. TX 0133736) of the Texas Pollutant Discharge Elimination System (TPDES) to authorize the discharge of treated wastewater in a volume not exceeding an average daily flow of 10,000 gallons per day. The plant is located at 16151 I-10 East Baytown, TX 77523 in Chambers County, Texas. The discharge path is from the plant site from the plant site to a road drainage ditch; thence to a culvert under Interstate 10; thence to Old River Lake. The TCEQ received this request on November 16, 2023. The application for the permit will be available for reading and copying at Chambers County Court House, 3rd Floor, 404 Washington Avenue, Anahuac, Texas prior to the date of publication of this notice in the newspaper. This link to an electronic map of the general location of the site or facility is provided as a courtesy and is not part of the request or notice. For the exact location, please refer to the application.

ADDITIONAL NOTICE. The Executive Director of TCEQ has determined that the application is administratively complete and will conduct a technical review of the application. After completing the technical review, the Executive Director may prepare a draft permit and issue a Preliminary Decision on the application. The notice of request and the preliminary decision will be posted and sent to those on the mailing list of people throughout the county who wish to receive notices and those on the mailing list who wish to receive notices of this request. The notice will give the deadline for submitting public comments.

PUBLIC COMMENT/PUBLIC MEETING. You may submit public comments or request a public meeting on this request. The purpose of a public meeting is to provide an opportunity to submit comments or ask questions about the application. The TCEQ holds a public meeting if the Executive Director determines that there is a sufficient degree of public interest in the request or if a local legislator requests it. A public meeting is not an administrative hearing of the contentious matter.

OPPORTUNITY FOR AN ADMINISTRATIVE HEARING OF CONTENTIOUS MATTERS. After the public comment period, the Executive Director will consider all appropriate comments and prepare a response to all essential, relevant, or significant public comments. Unless the request has been referred directly to an administrative contentious hearing, the Executive Director's response to comments and decision on the request will be mailed to all public commenters and to persons who are on the list to receive notices of this request. If comments are received, the notice will also provide instructions for requesting a reconsideration of the Executive Director's decision and for requesting an administrative hearing of the contentious matter. An administrative litigation hearing is a legal proceeding similar to a civil legal proceeding in a state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING INFORMATION IN YOUR REQUEST: your name, address, and telephone number; the applicant's name and permit number; the location and distance of your property/activity from the facility; a specific description of how you would be adversely affected by the Site in a manner not common to the general public; a list of all disputed factual issues that you submit during the comment period; and the statement "[I/we] request/request a contested case hearing." If you file the petition for a contested case hearing on behalf of a class or association, you must identify a person representing the group to receive future correspondence; identify the name and address of a group member who would be adversely affected by the proposed plant or activity; provide the information stated above regarding the location of the affected member and its distance from the proposed plant or activity; explain how and why the member would be affected; and explain how the interests the group wishes to protect are relevant to the group's purpose.

After the close of all applicable comment and petition periods, the Executive Director will forward the request and any request for reconsideration or for a contested case hearing to the TCEQ Commissioners for consideration during a scheduled Commission meeting. The Commission may only grant a request for a contested case hearing on issues that the applicant has presented in its timely comments that were not subsequently withdrawn. If a hearing is granted, the subject matter of the hearing will be limited to disputed issues of fact or mixed issues of fact and law relating to pertinent water quality material interests that have been raised during the comment period. If certain criteria are met, TCEQ may act on an application to renew a permit without providing an opportunity for an administrative hearing of the contentious matter.

MAILING LIST. If you submit public comments, a request for an administrative contentious hearing, or a reconsideration of the Executive Director's decision, the Office of the Chief Clerk will mail public notices regarding the request. In addition, you may request that TCEQ put your name on one or more of the following mailing lists: (1) the permanent mailing list to receive notices from the applicant indicated by name and specific permit number and/or (2) the mailing list of all applications in a specific county. If you would like to have your name added to one of the lists, please designate which list(s) and mail your request to the TCEQ Office of the Chief Secretary.

CONTACTS AND INFORMATION TO THE AGENCY. All public comments and requests must be submitted electronically via <http://www.tceq.texas.gov/cpic/cComment/> or in writing addressed to the Texas Commission on Environmental Quality, Office of Chief Clerk, MC-105, P.O. Box 11087, Austin, Texas 78711-0187. Please note that any personal 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, call TCEQ's toll-free public education program at 1-800-687-4040. For information in Spanish, call 1-800-687-4040.

Additional information may also be obtained from Jivanji Noman Burhani at the address above or by calling George H. Neil at 281-461-0528.