

**JANUARY 11 REPORT FROM THE NO DUMPING SEWAGE COALITION**  
**(also the Wastewater Subcommittee of the Texas Hill Country Conservation Network)**

**NDS** and **Save Barton Creek Association** advocate director **Brian Zabcik** reported that after TCEQ commissioners narrowly rejected the Pristine Streams Petition last year (March 30, 2022) with a vote of 2 to 1 (see [April '22 LRWA Newsletter](#)), followed by a TCEQ stakeholders meeting (August 31; see [Sept '22 LWRA Newsletter](#)), a Pristine Streams will not be filed in the current Texas legislative session. Several groups have continued to work with TCEQ and hope it will voluntarily take up the issue of creating a new rule to more strictly limit or (best) eliminate new wastewater dumping permits into pristine streams.

Meanwhile, **Annalisa Peace** of the **Greater Edwards Aquifer Association** (GEAA, <https://aquiferalliance.org/>) said that new wastewater permits are coming in fast to the TCEQ from all over the aquifer, mostly direct discharge (versus TLAP – land application – or beneficial reuse: see <https://nodumpingsewage.org/solution/>).

Recent wastewater applications being tracked by GEAA and other NDS members include:

- 1) **Diamante Ranch** (Comal County, Permit WQ0016060001) in which the applicant, South Central Water Co. asks for effluent direct discharge of 600,000 GPD (gallons per day) to an “unnamed ditch,” subsequently flowing to Upper Cibolo Creek. A public meeting is scheduled for January 26 in Bulverde. [A. Peace noted: “...*the city of Bulverde has no centralized water system and many problems with overflows and floods, so presently each developer is ‘doing their own thing.’ A unified policy recommendation is obviously needed.*”]
- 2) **Harrison Tract** (Comal County, Permit WQ0016211001) requested by Douglas T. Harrison of New Braunfels, to authorize discharge of 600,000 GPD. The effluent will go from West Fork Dry Comal Creek to Dry Comal Creek to the Comal River (TCEQ segment 1811). Currently awaiting a Public Meeting with TCEQ.
- 3) **Guajolote Ranch** (Bexar County, Permit WQ0016171001) requested by Municipal Operations, to be located at the corner of Babcock Rd. and Scenic Loop Road. Wants to discharge 1,000,000 GPD (!) via a pipe to Helotes Creek. This is in a critical watershed zone for San Antonio, and the projected density of homes for this new development (3,000 homes) is more than is allowed in the current zoning of the area. (Currently zoned as a Country Tier: 10-acre tracts/minimum, usually with individual water and septic). This one is definitely getting some local press.
- 4) **Vintage Oaks at Vineyard** (Comal County), requested by SJWTX, Inc., a state-regulated investor-owned utility providing water service to 7 counties, with a recent history of complaints by affected neighborhoods, mostly about persistent odor, currently being investigated by TCEQ. This permit asks for 13,000 GPD via surface irrigation of 40 acres of public access open areas with trails.
- 5) **Blizexas LLC** has already received a draft TLAP (wastewater land application) permit from TCEQ for a proposed 5,000-seat Amphitheatre to be located just a few thousand

feet uphill from Barton Creek in Hays County. Complaints about the Blizexas' plans for the immediate area include: 1) concern for beloved Barton Creek especially in the case of any type of overflow from the proposed TLAP, 2) having irrigation fields within 150 feet of private property lines, 3) concern that the soil at the location has the capacity to handle the input, 4) noise and light pollution (**note that** neighboring Dripping Springs is the first city in Texas to be designated as an international Dark Sky Community), 5) traffic congestion (projected: 2000 cars during venues!) for an already accident-prone, two-lane road (Fitzhugh Rd.), etc. In all, stakeholders have sent a list of 25 changes to Bizexas LLC. Meanwhile, the TCEQ is going through the extraordinarily numerous comments and testimony already submitted (a well-attended Public Hearing took place Nov. 29, 2022).

- 6) In November 2022, council members of the City of Hays denied a request from MileStone Community Builders for the creation of a municipal utility district (MUD) for a proposed subdivision called **Hays Common**. The crux of the problem is that area residents believe that Hays Common is too dense of a development to be built over the Edwards Aquifer Recharge Zone and will have negative impacts on adjacent Bear Creek. Currently, MileStone has taken their proposal to Hays County and if necessary, will also approach the city of Austin for water and wastewater services.
- 7) What about **Liberty Hill**? – This is a long-running battle over the city of Liberty Hill's wastewater discharge into the South San Gabriel River, which has caused extreme algae growth. After a contested case hearing requested by local landowners, two state administrative law judges recommended that the phosphorus limit, which TCEQ set at 0.15 milligrams per liter in its draft permit, should be lowered to 0.06mg/L. **NDS** supports the new standard for now (some improvement is better than none), with the caveat that the TCEQ must set lower limits for phosphorus on any new discharge permits to pristine streams such as the South San Gabriel.