

Neighbors, developer reach accord

New Braunfels Herald Zeitung Posted: Tuesday, May 17, 2016 10:35 pm

By Greg Bowen The Herald-Zeitung | 0 comments

After a two-year battle, neighbors along Dry Comal Creek have reached an agreement with the developer of a planned subdivision for an upgraded sewer plant they say will feature strong environmental safeguards.

The deal, announced Monday, paves the way for the construction of the Meyer Ranch subdivision, a 1,500-home, \$53 million, master-planned housing development on 700 acres of rolling Hill Country ranchland along South Cranes Mill Road off Highway 46 about 5 miles west of New Braunfels.

“Basically, we got a better plant with a better design that’s a lot safer over the Edwards Aquifer,” said Ed Harris, a founder of Friends of Dry Comal Creek, the grassroots group that fought the developer’s sought state permit for the previously planned version of the sewer plant, which the neighbors found unacceptable.

The Friends said the previously planned plant could have poured as much as 390,000 gallons of treated wastewater effluent into the creek each day. They feared the effluent would have harmed the Edwards Aquifer, done environmental damage to the creek, fouled their home water wells, and impacted tourism on the Comal River, into which Dry Comal Creek runs.

Harris commended the developer, the Randolph Todd Company of Austin, for “going way above and beyond and setting a precedent.”

Reuse water

Under the agreement, millions of gallons of the treated effluent will be re-used to water the landscaping in the subdivision.

“It’ll probably be the greenest piece of property in the Hill Country when we’re having a drought,” Harris said.

Randy Rollo, managing partner of Randolph Todd, said the reuse water will be used primarily on the landscaping of scenic open areas, green spaces, nature trails, entry point features and parklands.

As for the updated sewer plant, it will feature better filters, advanced ultraviolet effluent treatment, and other upgraded technology to safeguard public health and the environment.

Friends member Sabrina Houser, owner of Dry Comal Creek Vineyards, located just downstream from the subdivision, said the Friends are “particularly pleased with the effluent mitigation procedures that are required. The revised wastewater technology being utilized is a welcome change to the developer’s original permit request, such that the development is limiting the amount of treated effluent to be

deposited down the Dry Comal Creek, and subsequently the Edwards' Aquifer, from which we water our grapes and provide drinking water to our customers.”

Rollo said it's important to note that the plant's effluent will be treated to “one of the highest levels of treatment being utilized in the Hill Country and is above the standard required by (the Texas Commission on Environmental Quality). We intend to fully utilize as much treated effluent as possible on various landscaping needs but there may be times due to extended rain circumstances or frozen ground conditions that would necessitate a limited discharge of treated effluent.”

Far reaching

The settlement agreement is far-reaching and covers not only environmental impacts and water quality but water use, traffic mitigation and protection of neighbors' views of the starry skies at night.

It includes a provision for the developer to share groundwater monitoring and sampling results with the neighbors, as well as a clause calling for approximately 200 acres of scenic open space.

The agreement also requires significant limitations on the subdivision's groundwater usage, requires the subdivision to hit performance standards for runoff downstream of the development in compliance with Comal County regulations, calls for the implementation of a “Dark Sky” provision consistent with Comal County guidelines, and sets impervious cover limits to provide as much open space as possible.

In addition, emergency power to the wastewater treatment plant and all lift stations is now required and all plant construction and operation traffic must utilize Highway 46 for access, Rollo said.

The deal also allows the parties to avoid a state-contested case hearing, a trial-like process before a state judge. Successful arbitration also spared the Friends of Dry Comal Creek the high-dollar attorney bills that would have resulted from a contested-case hearing.

Protect the land

“Our intent has always been to protect the environment and maintain the scenic beauty of the land,” Rollo said. “I'm happy we were able to address the concerns raised by area residents and end up with a better outcome as a result of the process. Above all, it was important to us to show respect for the concerns of area residents.”

“I think we got a heck of a deal,” Harris said.

For its part, the development received a final permit from TCEQ, Rollo said.

Friends member Houser said: “The bottom line is that our community desires development to be smart and promote conservatorship and stewardship of our beautiful resources in the Texas Hill Country.”