

Alamo, Austin, and Lone Star chapters of the Sierra Club
Aquifer Guardians in Urban Areas
Bexar Audubon Society
Bexar Green Party
Boerne Together
Cibolo Nature Center
Citizens Allied for Smart Expansion
Citizens for the Protection of Cibolo Creek
Comal County Conservation Alliance
Environment Texas
First Universalist Unitarian Church of San Antonio
Friends of Canyon Lake
Friends of Dry Comal Creek
Friends of Government Canyon
Fuerza Unida
Green Party of Austin
Headwaters at Incarnate Word
Helotes Heritage Association
Helotes Nature Center
Hill Country Planning Association
Green Society of UTSA
Guadalupe River Road Alliance
Guardians of Lick Creek
Kendall County Well Owners Association
Kinney County Ground Zero
Leon Springs Business Association
Medina County Environmental Action Association
Native Plant Society of Texas – SA
Northwest Interstate Coalition of Neighborhoods
Preserve Castroville
Preserve Lake Dunlop Association
San Antonio Audubon Society
San Antonio Conservation Society
San Geronimo Nature Center
San Geronimo Valley Alliance
San Marcos Greenbelt Alliance
San Marcos River Foundation
Save Barton Creek Association
Save Our Springs Alliance
Scenic Loop/Boerne Stage Alliance
Securing a Future Environment
SEED Coalition
Solar San Antonio
Sisters of the Divine Providence
Travis County Green Party
West Texas Springs Alliance
Water Aid – Texas State University
Wildlife Rescue & Rehabilitation
Wimberley Valley Watershed Association

February 28, 2019

Bridget Bohac, Chief Clerk
Texas Commission on Environmental Quality
Office of the Chief Clerk, MC 105
P.O. Box 13087
Austin, Texas 78711-3087

Submitted electronically at <http://www14.tceq.texas.gov/epic/eComment/>

Re: Comments and Hearing Request Regarding Application of
Cherryville GP, Inc. and Cherryville #5, Ltd., for TPDES Permit No.
WQ0015738001

Please accept the attached comments on behalf of the fifty-two member groups of the Greater Edwards Aquifer Alliance.

1. Background. Cherryville GP, Inc. and Cherryville #5, Ltd., 10127 Tate Lane, Frisco, Texas have applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0015738001 (EPA I.D. No. TX0138835) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 160,000 gallons per day. The domestic wastewater treatment facility will be located approximately 600 feet south of the intersection of Dickerson Road and State Highway 80, east of State Highway 80, near Martindale, in Caldwell County, Texas 78655. The discharge route will be from the plant site via pipe to Dickerson Creek; thence to the San Marcos River.

2. Greater Edwards Aquifer Alliance (GEAA). GEAA submits the following comments and requests a public meeting regarding this permit application. GEAA is a 501(c)(3) nonprofit organization that promotes effective broad-based advocacy for protection and preservation of the Edwards Aquifer, its springs, watersheds, and the Texas Hill Country that sustains it. GEAA has multiple members who would be adversely affected by the proposed application of Cherryville GP, Inc. and Cherryville #5, Ltd.

GEAA's members have serious concerns regarding the permit application, mostly notably regarding the safety of the water supply from numerous wells in the area and the safety of contact recreation in the San Marcos River. Should this permit be granted by the TCEQ, **GEAA strongly encourages the adoption of the 5-5-2-1 maximum limits (or better) for treated sewage discharge:** 5 mg/l CBOD, 5 mg/l Total Suspended Solids, 2 mg/l Ammonia Nitrogen, 1 mg/l Phosphorous, not the relatively lax 10-15-3 limits that are currently being proposed by Cherryville as part of

their draft permit. GEAA and their members' specific areas of concern are summarized in the following section of this letter.

3. Comments on the Application. As noted in the Receipt of Application and Intent to Obtain Water Quality Permit, the proposed discharge route is from the plant site via pipe to Dickerson Creek; thence to the San Marcos River. There are several areas of concern with the current application:

a) Impact on local wells. The proposed Cherryville WWTP and the outfall location both lie within the Carizzo-Wilcox aquifer recharge zone, where waterways including Dickerson Creek and the San Marcos River have faults and fractures which allow surface water to flow into groundwater.

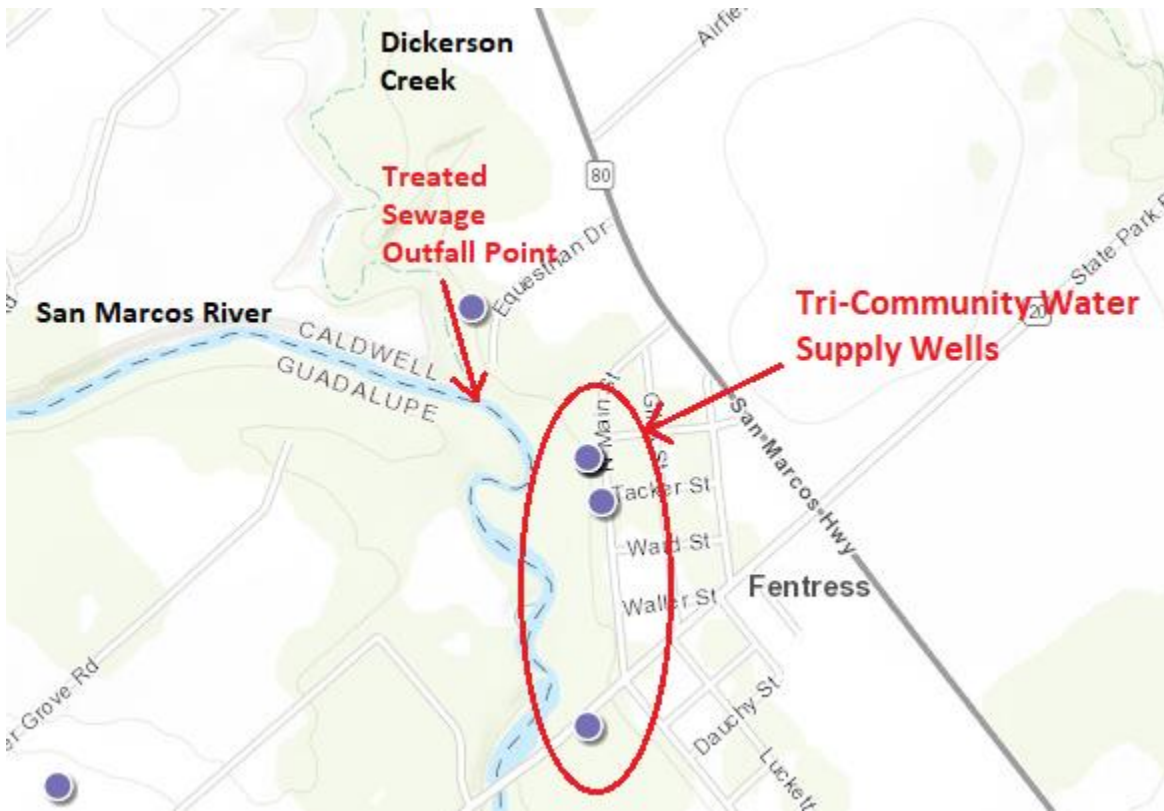


Fig. 1: 3 wells near the proposed outfall provide local communities with their drinking water

Tri-Community Water Supply has 3 public supply wells just hundreds of feet from the proposed outfall point, and within 100 feet of the San Marcos River, where the effluent discharge will end up. Because of this proximity over the Carizzo-Wilcox aquifer recharge zone, the effluent being discharged by Cherryville should meet the absolute highest effluent quality standards, so as not to threaten the drinking water for hundreds of local residents. What goes into Dickerson Creek and the San Marcos River at this location will end up in the local groundwater, and Tri Community is not equipped to remove high levels of nutrients like Nitrogen and Phosphorous from the groundwater, nor do they have the ability to remove contaminants like pharmaceuticals and surfactants that are present in treated sewage. Even though the initial permit application for Cherryville is just 160,000 gallons/day of effluent discharge, the ultimate

plan is to build out Cherryville to a very large development, where the initial permit will need to be upgraded to higher levels of discharge. Accordingly, it is important to set strict limits on effluent from the start. The technology being employed by the Cherryville WWTP should easily be able to meet these stricter effluent limits, according to the plant's lead engineer.

b) Impact on Dickerson Creek. Dickerson Creek is an intermittent creek that runs for several miles through Caldwell County to its confluence with the San Marcos River near Fentress, Texas. The creek is used for contact recreation purposes by local residents as well as for irrigating nearby farmland, and is the proposed conduit for effluent from Cherryville's WWTP to the San Marcos River. Although the creek is not always running, a 160,000 gallons/day effluent stream would fill the creek continuously with treated sewage from the Cherryville WWTP, creating an odiferous algae-filled channel similar to that pictured below in Comal County.



Fig 2: A Cibolo Creek tributary near Bulverde's Johnson Ranch Development, filled with WWTP effluent

The more lenient the standards for the proposed Cherryville WWTP effluent, the greater the impact to Dickerson Creek and the surrounding area, including local habitat and, thus the need for strict effluent standards on this permit.

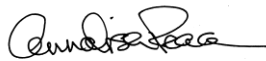
c) Impacts on the San Marcos River. The proposed effluent will flow from Dickerson Creek into the San Marcos River, and while a 160,000 gallons/day discharge is small in comparison to the flow of the San Marcos River at the outfall, this effluent volume will increase as the Cherryville

development gets built out. Accordingly, it's critical that the allowable effluent limits be initially set so that people enjoying contact recreation in the river aren't adversely affected by the effluent. The river is a popular recreational spot year-round for snorkeling, fishing, swimming, tubing, and kayaking. Each year the Texas Water Safari race features scores of canoes racing down the San Marcos River to the gulf.

We trust that the TCEQ will consider these factors when implementing the Cherryville permit and that effluent standards will be adopted that are in line with others in central Texas, following as a minimum the 5-5-2-1 rule.

Thank you for the opportunity to submit these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Annalisa Peace". The signature is fluid and cursive, with a long horizontal stroke at the end.

Annalisa Peace
Executive Director