January 23, 2020

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 www.tceq.texas.gov/about/comments.html

Re: Comments and Hearing Request Regarding Application of Silesia Properties for TLAP Permit No. WQ0015835001

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

1. Background. Silesia Properties, LP, 24114 Blanco Road, San Antonio, Texas 78260, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Land Application Permit (TLAP) No. WQ0015835001 to authorize the disposal of treated wastewater at a volume not to exceed a daily average flow of 365,000 gallons per day via subsurface area drip dispersal on 84 acres of land. The proposed domestic wastewater treatment facility and disposal area will be located at 26226 West State Highway 46, Spring Branch, in Comal County, Texas 78070.

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 accomplishes this by producing and distributing educational materials that assist public and private sector decision-makers to take actions to protect and sustain the quality and quantity of Edwards Aquifer flows. We also expand and aid the coordination of existing public interest for sustainable water and land use practices in the Edwards Aquifer region.

GEAA has multiple members who would be adversely affected by the proposed application of Silesia Properties, LP. GEAA’s members have multiple concerns regarding the permit application, mostly notably regarding the risk of both wastewater and stormwater pollution from an extremely high-density subdivision at Honey Creek Ranch (currently planned for 2347 housing units, each on just 1/9 acre lots). Such a high-
density development is ill-suited for location adjacent to one of the state’s most pristine natural waterways and a Texas state natural area. Given that most of the contiguous landowners are members of GEAA, including Joyce Moore, Greg Elmendorf, and Dennis Dawson, we request that GEAA be recognized with standing as an organization to contest this permit.

3. Comments on the Application. As noted in the Receipt Of Application And Intent To Obtain Water Quality Permit, the current plan by Silesia Properties, LP is to discharge up to 365,000 gallons per day of treated wastewater via subsurface area drip dispersal on 84 acres of land. There are several specific areas of concern with the current application:

a. Concerns Regarding Effluent Volume Estimates. The Silesia Properties permit application is for the effluent discharge of 365,000 gallons per day, yet the planned development is for 2347 housing units, which translates into just 155.5 gallons per day of wastewater generated per housing unit. Since the average American family uses 300 gallons of water per day, according to the EPA, the water usage estimate by Silesia Properties is roughly half what it should be. On their previous TPDES permit application, which has since been withdrawn, Silesia Properties estimated 500,000 gallons per day of effluent from the Honey Creek Ranch development. No explanation was provided as to why the current TLAP application has maximum effluent volumes 27% lower than the previous TPDES permit application. In fact, the number of projected housing units has stayed the same (2347 units) throughout the entire TPDES and TLAP permit applications processes.

b. Concerns Regarding Effluent Land Application Rates. The proposed TLAP permit would add effluent amounts to the soil that would be the equivalent of an additional 349 inches per year of water, beyond natural rainfall. The TLAP permit application includes documentation that the soil types are low permeability and at a thicknesses of no more than 33" in the proposed effluent application area. This would result in a waterlogged area not capable of absorbing additional water amounts, and therefore even during dry conditions, effluent would reach Honey Creek and the Middle Trinity Aquifer via seeps, runoff and fracture systems typical of the local hydrogeology. During wetter conditions, including floods, the effluent would simply run off the land application area and into Honey Creek, which is located at a lower elevation than the land application area. This concern is compounded by fact that Silesia Properties has underestimated effluent volumes as described in a) above.

c. Concerns Regarding Stormwater Runoff Into Honey Creek. The planned Honey Creek Ranch development creates at least three major problems regarding stormwater runoff in the area: 1) over 100 acres of new impervious cover from the housing units, streets, sidewalks, and other non-permeable surfaces, 2) additional nutrient inputs to Honey Creek associated with fertilizing yards, pet waste, and other point and non-point sources of nutrient pollution in the development, and 3) a waterlogged 84-acre TLAP field which, due to the high land application rates mentioned in b) above, will act as mostly impervious cover. In addition to Nitrogen and Phosphorous inputs to Honey Creek, storm runoff will deliver additional contaminants including sediment, bacteria, oil and grease, trash, pesticides, and metals.
d. Concerns Regarding Overall Water Quality Impacts To Honey Creek. Baseline water quality studies of Honey Creek indicate that it is one of the cleanest natural streams in the entire state of Texas, with extremely low background levels of Nitrogen and Phosphorous. Given that the state has invested substantially in the Honey Creek State Natural Area to preserve this waterway, GEAA feels that the risk of both wastewater and stormwater pollution from an extremely high-density subdivision at Honey Creek Ranch is something that the TCEQ should make every effort to mitigate. Honey Creek itself runs just a few hundred yards from the edge of the proposed TLAP area, so under the current plan, nutrients and contaminants from effluent will undoubtedly find their way into Honey Creek.

We trust that the TCEQ will consider these factors when implementing the Silesia Properties TLAP and that the development will proceed in such a manner as to not negatively impact Honey Creek as described above.

Sincerely,

Annalisa Peace
Executive Director