



June 9, 2020

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

VIA ELECTRONIC FILING

RE: Proposed Permit No. WQ0015835001 for Silesia Properties, LP

Dear Chief Clerk:

Save Our Springs Alliance submits these comments on the Texas Land Application Permit (WQ0015835001) proposed for Silesia Properties, LP. Save Our Springs also requests a contested case hearing on the above application.

The proposed draft permit would authorize wastewater treatment and subsurface drip dispersal system disposal for 0.365 million gallons per day on 84 acres in the Honey Creek watershed, upstream of the Honey Creek State Natural Area and Guadalupe State Park.

SOS is a non-profit organization that works to protect the Edwards Aquifer, its springs and contributing streams, and the natural and cultural heritage of the Hill Country region and its watersheds. SOS has members who own property adjacent to the site of the proposed wastewater treatment facility and irrigation fields. SOS has members with drinking-water wells downgradient from the proposed irrigation fields. SOS also has members who recreate, observe nature, enjoy the aesthetic beauty, and conduct scientific research in Honey Creek State Natural Area and Guadalupe State Park. All of these members would be adversely affected by granting Silesia's permit application.

Considering the sensitive hydrologic setting of the proposed sewage effluent subsurface drip disposal area, the proposed draft permit terms and conditions fail to adequately protect downstream surface water, including Honey Creek and the Guadalupe River, the Honey Creek State Natural Area, the Trinity Aquifer and the Southern Segment of the Edwards Aquifer. Effluent limits, treatment, storage, and disposal area requirements in the proposed permit are inconsistent and will not achieve either the proposed permit standards or Clean Water Act standards to protect downstream water.

Specifically, the draft permit terms fail to achieve adequate water quality protection because:

- Proposed effluent limits are not sufficient to protect downstream surface water and aquifer quality. Honey Creek is an extremely clean creek that is known to remain so because of extremely low phosphorous and nitrogen levels. Honey Creek supports a use of “exceptional aquatic life use.” The permit fails to include all wastewater effluent chemicals that would degrade downstream water and aquifers.
- The permit must include effluent limits on phosphorus and total nitrogen to ensure that aquatic and terrestrial life are not impaired by the wastewater drip dispersal. Absent phosphorous and total nitrogen limits on the effluent, excessive algae growth will result, significantly degrading the existing species habitat, changing the existing native species composition, and reducing the diversity of existing aquatic ecosystems in Honey Creek and the Edwards Aquifer. In addition to algal blooms, nitrogen and phosphorous pollution causes depressed dissolved oxygen concentrations, fish kills, and murky water.
- Wastewater from the subsurface drip dispersal irrigation fields can contaminate the Trinity and Southern Edwards Aquifers when irrigation occurs on saturated ground. Groundwater is at risk of contamination from wastewater irrigation under the proposed draft permit. Groundwater wells are also at risk of wastewater contamination from under the proposed draft permit.
- The proposed effluent disposal area of 84 acres and the proposed storage volume of 3.36 acre-feet are both too small to prevent system overflows and irrigation during saturated soil conditions. Although the proposed draft permit contains the standard prohibition of irrigation on saturated or frozen soils, the actual permit terms make it unlikely or impossible for the applicant to avoid over-saturating fields.
- The proposed 84-acre disposal area is only large enough to accommodate about 150,000 gallons per day of effluent. Even with this smaller daily effluent volume, storage would need to be increased to 26 acre-feet to prevent irrigation on saturated soils.
- Proposed soil, seep, and spring monitoring provisions are inadequate to protect the Honey Creek tributary.
- Proposed setbacks from karst features are too small to prevent water and undesirable chemicals from migrating into them.
- The proposed chlorine disinfection is inappropriate. It will destroy soil health and bacteria necessary to process land disposed effluent.
- The Class C operator requirement does not provide the treatment and disposal operation oversight necessary to protect water quality and the associated aquifers.

- Bermuda grass is highly invasive and is inappropriate to use in irrigation areas that are close to the environmentally sensitive Honey Creek State Natural Area and Guadalupe River State Park.
- The draft permit does not address or protect known wetland areas on Honey Creek Ranch, including three adjacent to, with, or downstream from proposed effluent disposal areas.
- Additional public oversight and expanded availability of information is necessary to assure permit compliance and environmental protection.

Additionally, Save Our Springs is a member organization of the Greater Edwards Aquifer Alliance (GEAA) and adopts and incorporates by reference the comments submitted to TCEQ by GEAA on this draft permit dated May 8, 2020.

In sum, the proposed permit terms are not protective of water quality, will cause excessive algae growth, will cause degradation of wildlife habitat, will pollute groundwater used for drinking water, and will not protect existing uses of the adjacent waters.

Issuance of draft permit WQ0015835001 will directly affect Save Our Springs and its members' personal justiciable interests. Save Our Springs requests that Silesia's permit application be denied unless the draft permit incorporates terms that sufficiently addressed and remedy the issues described above.

Thank you,

/s/ Kelly Davis

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