



Member Organizations

Alamo, Austin, and Lone Star chapters of the Sierra Club
Bexar Audubon Society
Austin, Bexar and Travis Green Parties
Bexar Grotto
Boerne Together
Bulverde Neighborhood Alliance
Bulverde Neighbors for Clean Water
Cibolo Nature Center
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 Society of UTSA
Guadalupe River Road Alliance
Guardians of Lick Creek
Headwaters at Incarnate Word
Helotes Heritage Association
Hill Country Planning Association
Kendall County Well Owners Association
Kinney County Ground Zero
Leon Springs Business Association
Medina County Environmental Action
Native Plant Society of Texas – SA
Northwest Interstate Coalition of Neighborhoods
Preserve Castroville
Preserve Lake Dunlop Association
Preserve Our Hill Country Environment
San Antonio Audubon Society
San Antonio Conservation Society
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
Signal Hill Area Alliance
Solar San Antonio
Sisters of the Divine Providence
Texas Cave Management Association
Trinity Edwards Spring Protection Association
Water Aid – Texas State University
Wildlife Rescue & Rehabilitation
Wimberley Valley Watershed Association

**PO Box 15618
San Antonio, Texas 78212
(210) 320-6294**

April 9, 2021

House Committee on Environmental Regulation:

Rep. Brooks Landgraf
Rep. Alex Dominguez
Rep. Jay Dean
Rep. Vikki Goodwin
Rep. Kyle J. Kacal
Rep. John Kuempel
Rep. Penny Morales Shaw
Rep. Geanie W. Morrison
Rep. Ron Reynolds
Jennifer Reeves

Comments In Support of HB 4146

Honorable Chairman Landgraf and Members of the House Committee on Environmental Regulations,

I submit these comments in support of HB 4146 on behalf of the 54 member organizations and thousands of individual members of the Greater Edwards Aquifer Alliance (GEAA).

Our member groups across the Texas Hill Country and in the Nueces River basin have long been concerned about TPDES permit applications to directly discharge wastewater effluent into Texas streams that contain almost no Total Phosphorus. Low levels of phosphorus indicate pristine water quality and are key to continued healthy aquatic systems, recreational water use, and local tourism economies. This legislation would prohibit TCEQ from issuing Texas Pollutant Discharge Elimination System (TPDES) permits to discharge treated wastewater effluent directly into qualifying pristine waterways. Across Texas about forty-three streams would be protected by the proposed legislation.

The surface waters of the Texas Hill Country are of world renowned quality, providing exceptional recreational opportunities for Texans, young and old, local and statewide. These waters are a major component of the value of ranches, parks, and local communities through which these surface waters flow. Unfortunately, current government action can impose wastewater discharges into these pristine waterways, resulting in degradation in water quality, damage to waterfront property values and diminished recreational opportunities.

Some of these pristine streams are important sources of recharge for the Edwards Aquifer. Approximately 70% of recharge to the Edwards occurs through cracks in limestone riverbeds. Scientists confirm surface waters degraded by wastewater effluent also degrades the Edwards Aquifer, which nearly two million Texans rely on as their primary source of potable water.

Additionally, many Texas streams qualifying for protection by this legislation are intermittent. During dry periods these streams may naturally stop flowing. With wastewater discharge from a TPDES permit, the only water in streams under those conditions would be wastewater effluent so, no dilution of contaminants would occur.

A common practice, recommended by experts in this field, is that of applying the treated effluent to land via issuance of a Texas Land Application Permit (TLAP). Treated effluent could also be used to advantage by installation of gray water systems for non-potable use such as watering lawns and common areas.

Over the past sixteen years, GEAA has partnered with affected landowners and our member groups to contest many TPDES permits that threatened to compromise the quality of pristine waterways in the Texas Hill Country. In many of these cases we were able to achieve issuance of TLAP rather than TPDES permits through negotiated settlement agreements. For example:

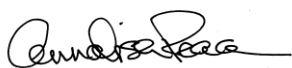
In 2008, developers of the Hills of Castle Rock subdivision in Medina County applied for a permit to discharge wastewater into the San Geronimo Creek. This application was contested by GEAA, San Antonio Water Systems, and the San Geronimo Valley Alliance on the basis that it would harm the quality of the water of the Edwards Aquifer and might compromise the use of SAWS' Edwards Aquifer supply wells and wells owned by downstream landowners. Additionally, both the SAWS Board of Directors and the City of San Antonio cited concerns about Hills of Castle Rocks plans to discharge wastewater effluent into the San Geronimo as among their reasons for denying water service to this subdivision.

More recently, due to concerns about compromising the quality of water in Honey Creek, characterized by extremely low levels of phosphorous, the developers of Honey Creek Ranch MUD agreed to withdraw their application for a TPDES permit and applied for a TLAP permit. They also agreed to limit the daily average of effluent discharges to .05 mg/l total phosphorous.

We realize that our region is growing, and that there will be additional development within these environmentally sensitive areas. Passage of HB 4146 bill would not prohibit development. TCEQ has been prohibited from issuing TPDES permits on the Edwards Aquifer Recharge Zone and into the Highland Lakes for years, yet, development within these areas has continued apace.

Thank you for the opportunity to submit these comments. Should you have any questions or wish to discuss this further, please contact me at your convenience.

Respectfully,



Annalisa Peace
Executive Director
Greater Edwards Aquifer Alliance

CC: Representative Tracy O. King
Senator Judith Zaffirini