

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 Center for Conservation

Citizens for the Protection of Cibolo Creek

Comal County Conservation Alliance

Environment Texas

First Universalist Unitarian Church of SA

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 Alliance

Kendall County Well Owners Association

Kinney County Ground Zero

Leon Springs Business Association

Native Plant Society of Texas – SA

Northwest Interstate Coalition of
Neighborhoods

Pedernales River Alliance – Gillespie Co.

Preserve Castroville

Preserve Lake Dunlop Association

Preserve Our Hill Country Environment

RiverAid San Antonio

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

Sisters of the Divine Providence

Solar San Antonio

Texas Cave Management Association

Trinity Edwards Spring Protection Assoc.

Water Aid – Texas State University

Wildlife Rescue & Rehabilitation

Wimberley Valley Watershed Association

February 14, 2022

Laurie Gharis, Chief Clerk

Office of the Chief Clerk, MC 105

Texas Commission on Environmental Quality

PO Box 13087

Austin, TX 78711-3087

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

Re: Comments and Hearing Request Regrading Application of Walton Texas L.P. for
TPDES Permit No. WQ0015918001

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

1. **Background.** Walton Texas, L.P., 8800 N. Gainey Center Drive, Suite 345, Scottsdale, Arizona 85258, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0015918001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 420,000 gallons per day. The facility will be located approximately 2,100 feet northeast of the intersection of State Highway 80 and State Highway 142, in Caldwell County, Texas 78655. The treated effluent will be discharged to Hemphill Creek, thence to Morrison Creek, thence to the Lower San Marcos River in Segment No. 1808 of the Guadalupe River Basin

2. **Greater Edwards Aquifer Alliance (GEAA).** GEAA submits the following comments on behalf of our fifty-six member organizations and requests a contested case hearing regarding this permit application. GEAA is a 501(c)(3) nonprofit organization that promotes effective broad-based advocacy for the 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 Walton Texas L.P.

GEAA's members have serious concerns regarding the permit application, regarding the degradation to Hemphill Creek, Morrison Creek and the Lower San Marcos River that will likely occur with the discharge of treated sewage into these waterways. GEAA and its members' specific areas of concern are summarized in the following section of this letter.

3. **Comments on the application.** As noted in the Notice of Public Meeting, Notice of Application and Preliminary Decision, the proposed discharge route is from the plant site via pipe to Hemphill Creek, thence to Morrison Creek, thence to the Lower San Marcos River. There are several areas of concern with the current application:

a. Effluent Discharge Levels: The effluent discharge levels in the draft permit currently depict a phased approach for effluent discharge levels as construction of the Walton Texas, L.P. WWTP occurs, ultimately granting an effluent discharge level limits of 10 mg/l CBOD, 15 mg/l Total Suspended Solids, 2 mg/l Ammonia nitrogen and an unknown mg/l amount for Phosphorus. These lax effluent limits pose a serious hazard to the safety and welfare of the local environment, humans and wildlife.

Further, the effluent discharge levels violate the longstanding development agreement contract between the developer and the City of Martindale. The discharge limits set by this development agreement are 5 mg/l of CBOD, 5 mg/l of Total Suspended Solids, 2 mg/l Ammonia Nitrogen and 1 mg/l of Phosphorus. Representatives of Walton Texas, LP have confirmed that the discharge limits included in the permit application state that the plant is designed for much higher and more harmful permit limits and that the application contains errors throughout the document. The developer acknowledged the errors in their application and has maintained they will file a corrected application, which they have failed to do so to this point.

The City of Martindale has recently passed a resolution regarding the discharge limits to be set at 5 mg/l CBOD, 5 mg/l of Total Suspended Solids, 2 mg/l of Ammonia Nitrogen, 0.5 mg/l of Phosphorus for all developments. Should this permit be granted, **GEAA strongly encourages the adoption of the 5-5-2-.5 maximum limits for treated sewage discharge**

b. Implementation of Beneficial Reuse: As it stands today, the Walton Texas, L.P. WWTP draft permit does not include any capacity to conduct beneficial reuse, promoting environmental harm to the Lower San Marcos River and the surrounding watershed areas upon TCEQ approval of this permit. Accordingly, GEAA urges Walton Texas, L.P. to utilize a “One Water” approach for their wastewater treatment system, incorporating beneficial reuse of effluent, thereby eliminating the need to discharge effluent into Hemphill Creek. In the event Walton Texas, L.P. is unable to reuse all of the wastewater generated, it is GEAA’s recommendation that the remaining amounts be land applied, with Walton Texas, L.P. purchasing the necessary land for such and obtaining the requisite TLAP permit from TCEQ.

Currently, the City of Martindale is actively considering the development of a regional wastewater facility that would limit the number of facilities discharging wastewater into the river system and accommodate future demand for growth. A regional approach is a preferred option compared to a patchwork of independent treatment facilities. If a patchwork approach is approved by TCEQ, the City of Martindale requests that all independent treatment facilities commit to 75% beneficial reuse of the treated water. GEAA supports the City of Martindale’s request of commitment to 75% beneficial reuse for all new independent treatment facilities.

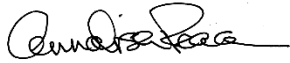
c. Impacts on the Lower San Marcos River: The proposed effluent will flow from Hemphill Creek, thence to Morrison Creek, thence to the Lower San Marcos River at a volume of 420,000 gallons per day. This effluent volume will increase as the Walton Texas, L.P. development gets built out. Accordingly, it’s 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

In conclusion, the more lenient the standards for the proposed Walton Texas, L.P. WWTP draft permit, the greater the impact to Hemphill and Morrison Creeks, Lower San Marcos River and the surrounding areas. We trust that the TCEQ will consider these factors when implementing the Walton Texas, LP

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-.5 rule and implementation of beneficial reuse.

Thank you for the opportunity to submit these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Annalisa Peace", with a long horizontal line extending to the right.

Annalisa Peace
Executive Director
Greater Edwards Aquifer Alliance