

RESOLUTION NO. 23-008

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HELOTES, TEXAS, PROCLAIMING OPPOSITION TO THE WATER QUALITY PERMIT APPLICATION BY MUNICIPAL OPERATIONS, LLC, P.O. BOX 1689, SPRING, TEXAS 77383 TO OPERATE THE GUAJOLOTE RANCH WASTE WATER TREATMENT PLANT (WWTP) UNDER TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM (TPDES) PERMIT NO. WQ0016171001 TO DISCHARGE TREATED DOMESTIC WASTEWATER VIA PIPE TO HELOTES CREEK; OFICIALLY PROTESTING APPROVAL OF THE AFOREMENTIONED APPLICATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) DUE TO NEGATIVE ENVIRONMENTAL IMPACTS AND POTENTIAL FLOODING IN THE CITY OF HELOTES; AUTHORIZING THE CITY ADMINISTRATOR TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE PROVISIONS OF THIS RESOLUTION; INCORPORATING RECITALS; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City Council became aware of the Guajolote Ranch Tract (hereinafter referred to as the “Project”) being an approximate 1,160 acre site for the residential development of 2,900 homes located approximately one mile West of the Scenic Loop and Babcock Road intersection, in the City of San Antonio Extra Territorial Jurisdiction, and over the Edwards Aquifer Conservation Zone; and

WHEREAS, the Project triggered the application of a water quality permit through the Texas Commission of Environmental Quality (TCEQ) to operate the Guajolote Ranch Waste Water Treatment Plant (WWTP) under Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016171001 (hereinafter referred to as the “Application”) to discharge treated domestic wastewater at an annual average flow not to exceed 1,000,000 gallons per day via pipe to Helotes Creek; and

WHEREAS, on May 9, 2023, a Public Meeting was held by the TCEQ to provide the opportunity to ask questions and submit formal comments about the Application; and

WHEREAS, at the Public Meeting, it was established that Helotes Creek is 14 miles long; nevertheless, TCEQ personnel were only required to examine the creek bed up to 2.5 miles from the discharge point to ascertain whether the creek can contain the extra water that will be flowing from the treatment plant; and

WHEREAS, the properties downstream, especially in the Old Town Helotes area, were not taken into consideration and the extra running water from the Guajolote Ranch WWTP, coupled with heavy rainfall, creates the potential for severe flooding; and

WHEREAS, other compelling reasons for opposition to the Application include the failure rate of municipal sewage plants, the exceedance of recommended pollutants in the water (though treated), the lack of enforcement by the TCEQ (treatment plants are often not made to pay fines), and the Helotes Creek watershed is within the contributing and recharge zone of the San Antonio segment of the Edwards Aquifer; and

WHEREAS, the City Council recognizes the need to formally proclaim opposition to the Application to protect the health, safety, and general welfare of the residents of Helotes.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HELOTES, TEXAS THAT:

SECTION 1. OPPOSITION. The City Council confirms by this Resolution its opposition to the water quality permit application to operate the Guajolote Ranch Waste Water Treatment Plant (WWTP) under Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016171001.

SECTION 2. AUTHORIZATION. The City Council authorizes the Mayor and/or City Administrator to submit this Resolution to any regulating authority with jurisdiction on the water quality permit application to operate the Guajolote Ranch Waste Water Treatment Plant (WWTP) under Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016171001.


SECTION 3. RECITALS. The City Council finds the above recitals to be true and correct and incorporates the same in this Resolution as findings of fact.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this Resolution is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Resolution. The City Council hereby declares that it would have passed this Resolution, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared void.

SECTION 5. EFFECTIVE DATE. This Resolution shall take effect immediately upon the approval of the City Council.

PASSED AND APPROVED by the City Council of the City of Helotes this 25th day of May, 2023.

CITY OF HELOTES, TEXAS:



Rich Whitehead, Mayor

ATTEST:



Celina Perez, City Secretary

