



## Member Organizations

Alamo, Austin, and Lone Star chapters of the Sierra Club  
Act Now Comal  
ARK Ecological Consulting  
Belton & Surrounding Neighbors  
Bexar Audubon Society  
Bexar and Travis-Austin Green Parties  
Bexar Grotto  
Bulverde Neighborhood Alliance  
Bulverde Neighborhoods for Clean Water  
Cibola Center for Conservation  
Citizens for Protection of Cibola Creek  
Coalition for Responsible Aggregate Mining (CREAM)  
Comal Conservation  
Comfort Neighbors  
Congregation of the Divine Providence  
Conservation Society of San Antonio  
Dry Comal Creek Neighbors  
Environment Texas  
First Universalist Unitarian Church of SA  
Fischer Neighbors  
Fitzhugh Neighbors  
Friends of Canyon Lake  
Friends of Castroville Regional Park  
Friends of Government Canyon  
Fuerza Unida  
Green Society of UTSA  
Hays Residents for Land & Water Protection  
Headwaters at Incarnate Word  
Helotes Heritage Association  
Hill Country Alliance  
Kendall County Well Owners Association  
Kerr County Water Alliance  
Las Moras Springs Conservation Assoc.  
Llano River Watershed Alliance  
Native Plant Society of Texas – SA & NB  
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 Marcos Greenbelt Alliance  
San Marcos River Foundation  
Save Our Springs Alliance  
Save Salado Creek  
Save Texas Streams  
Scenic Loop/Helotes Creek Alliance  
SEED Coalition  
Signal Hill Area Alliance  
Texas Cave Management Association  
Trinity Edwards Spring Protection Assn.  
Water Aid – Texas State University  
Watershed Association  
Wildlife Rescue & Rehabilitation  
Greater Edwards Aquifer Alliance  
PO Box 15618 San Antonio, TX. 78212

March 17, 2026

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 Regarding Proposed Renewal with Amendment of General Permit TXG870000 Authorizing the Discharge of Pesticides

Please accept the attached comments on behalf of the fifty-eight member groups of the Greater Edwards Aquifer Alliance (GEAA).

1. **Background:** The Texas Commission on Environmental Quality (TCEQ or commission) is proposing to renew and amend Texas Pollutant Discharge Elimination System General Permit TXG870000. This general permit authorizes the application of pesticides (including insecticides, nematicides, rodenticides, fungicides, and herbicides) into or over, including near, waters of the United States. The draft general permit applies to the entire state of Texas. This general permit is authorized by Section 402 of the Clean Water Act (CWA) and Chapter 26 of the Texas Water Code.

2. **Greater Edwards Aquifer Alliance (GEAA):** GEAA submits the following comments on behalf of our fifty-eight member organizations. GEAA is a 501(c)(3) nonprofit organization that promotes effective, broad based advocacy for the protection and preservation of the Edwards and Trinity Aquifers, their springs, watersheds, and the Texas Hill Country lands that sustain them.

3. **Comments on the Draft General Permit:** As mentioned in the Notice of Public Meeting and Extension of Public Comment, the (TCEQ) executive director has prepared a draft pesticide general permit renewal with amendments and the pesticide use patterns covered under this permit include mosquito and other nuisance insect pests, vegetation and algae, nuisance animal, area-wide and forest canopy pest control. TCEQ states that no significant degradation of high-quality waters is expected, and existing uses will be maintained and protected. The executive director proposes to require certain dischargers to submit a Notice of Intent to obtain authorization to discharge.

A. **Lack of Numeric Effluent Limitations:** GEAA notes that the draft permit relies entirely on non-numeric, technology-based effluent limitations that require operators to “minimize” pesticide discharges. While this approach is consistent with the current federal framework, it does not establish enforceable, measurable thresholds for pollutant concentrations in receiving waters.

Without numeric effluent limits or water quality-based benchmarks:

I. There is no clear standard for determining when a discharge is excessive,

- II. Compliance and enforcement become highly subjective, and
- III. Protection of sensitive aquatic species and drinking water sources is difficult to verify.

TCEQ should evaluate whether numeric benchmarks, toxicity thresholds, or trigger values can be incorporated, particularly for high-risk active ingredients or sensitive receiving waters.

**B. Insufficient Monitoring Requirements:** The draft permit relies primarily on visual monitoring and documentation rather than chemical or biological sampling. Visual inspections alone are not capable of detecting a) low-level or chronic pesticide contamination, b) cumulative impacts from repeated applications, or c) sublethal effects on aquatic organisms.

The absence of required water quality monitoring limits the permit's ability to ensure compliance with water quality standards. At a minimum, TCEQ should consider a) targeted monitoring requirements for Level I operators, b) monitoring triggers in sensitive watersheds, and c) post-application sampling for large scale or repeated applications.

**C. Over-Reliance on Operator Discretion:** The draft permit places substantial responsibility on operators to determine a) when action thresholds are met, b) what constitutes the "minimum" effective pesticide application rate, and c) whether non-chemical control methods are feasible. While Integrated Pest Management (IPM) is an important framework, the permit does not include strong mechanisms to verify that non-chemical alternatives have been meaningfully considered or implemented. Additional clarity and accountability are needed to ensure that pesticide use is truly a last-resort option rather than a default management strategy.

**D. Regulatory Gaps for Level II and III Operators:** A significant portion of pesticide applications will occur under Level II and Level III operator categories, which have minimal regulatory requirements. In particular:

- Level II operators are not required to submit a Notice of Intent or conduct monitoring beyond basic documentation.
- Level III operators are not required to maintain records or report pesticide applications.

These provisions create substantial gaps in oversight, particularly when considering cumulative impacts across watersheds. TCEQ should evaluate whether expanded recordkeeping requirements are appropriate for Level II operators, and require basic reporting or tracking mechanisms for Level III operators.

**E. Absence of Cumulative Impact Consideration:** The draft permit evaluates pesticide applications at the individual operator and treatment-area scale but does not address cumulative impacts from a) multiple operators within a watershed, b) repeated applications over time, or c) combined effects of multiple pesticide types. Given that many pesticide applications occur repeatedly throughout a season and across large areas, cumulative loading to receiving waters may be significant even when individual applications appear compliant. TCEQ should consider incorporating watershed-based considerations or cumulative impact triggers, particularly in high-use regions.

F. Limited Protections for Sensitive Water Resources: While the draft permit appropriately excludes discharges to Tier 3 waters (outstanding natural resource waters) and certain impaired waters, additional clarity is needed regarding:

- Protection of recharge features and karst systems,
- Application near small tributaries and ephemeral streams, and
- Downstream impacts to drinking water sources.

Given the hydrologic connectivity of many Texas watersheds, including those associated with aquifer recharge zones, stronger precautionary measures may be warranted in sensitive areas.

G. Emergency Authorization Provisions: Lastly, GEAA notes that the draft permit allows for immediate authorization of pesticide discharges in declared pest emergencies, with Notice of Intent submittal occurring up to 30 days after discharge begins. While emergency response flexibility is important, this provision reduces opportunities for oversight and public awareness during periods of potentially intensive pesticide application. TCEQ should consider whether additional safeguards, documentation, or post-application reporting are appropriate in these situations.

**4. Conclusion:** GEAA appreciates the opportunity to submit these comments and acknowledges that the draft permit provides a structured framework for authorizing pesticide discharges. However, it relies heavily on non-numeric standards, operator discretion, and limited monitoring. These factors reduce the permit's effectiveness in ensuring measurable protection of water quality and aquatic ecosystems.

Strengthening the draft permit through targeted monitoring, improved accountability, and clearer performance standards would enhance its ability to meet Clean Water Act objectives and protect Texas water resources.

Sincerely,



Annalisa Peace  
Executive Director  
Greater Edwards Aquifer Alliance



Nathan Glavy  
Technical Director  
Greater Edwards Aquifer Alliance