

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

January 7, 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 and Hearing Request Regarding Lennar Homes of Texas and Jeanette R. Morris and Bobbie J. Neff Application for TPDES Permit No. WQ0016660001- Broken Cedar Ranch Wastewater Treatment Facility

Please accept the attached comments on behalf of the sixty-three member groups of the Greater Edwards Aquifer Alliance.

1. **Background:** Lennar Homes of Texas Land and Construction, Ltd., together with co-applicants Jeanette R. Morris and Bobbie J. Neff, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new Texas Pollutant Discharge Elimination System (TPDES) permit (Permit No. WQ0016660001) to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 600,000 gallons per day.

The proposed wastewater treatment facility (WWTF), Broken Cedar Ranch, would be located approximately 750 feet southeast of the intersection of Farm-to-Market Road 484 and Rocky Ranch Road near Fischer, in Comal County, Texas. Treated effluent would be discharged to an unnamed intermittent tributary, thence to Potter Creek, and ultimately to Canyon Lake (Segment No. 1805) in the Guadalupe River Basin. The designated uses for Segment No. 1805 include primary contact recreation, public water supply, aquifer protection, and exceptional aquatic life use.

2. **Greater Edwards Aquifer Alliance (GEAA):** GEAA submits the following comments on behalf of our sixty-three member organizations and requests a contested case hearing regarding this permit application. GEAA also requests that our organization be recognized as an affected party with standing to represent our members who are adjacent landowners. 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.

GEAA has members who live, recreate, and rely on groundwater and surface water resources within the Canyon Lake watershed and downstream of the proposed discharge. GEAA's members have serious concerns regarding the application and draft permit and the potential for degradation of surface water and groundwater resources associated with the proposed discharge.

GEAA's specific concerns are summarized below.

3. Comments on the application: As noted in the Notice of Public Meeting, the treated effluent would be discharged to an unnamed intermittent tributary, thence to Potter Creek, and ultimately to Canyon Lake (Segment No. 1805) in the Guadalupe River Basin

A. Phosphorus Limits and Antidegradation Protection: GEAA is concerned that the draft permit allows higher total phosphorus (TP) concentrations during Interim Phases I & II while imposing a more stringent TP limit during the Final Phase. The draft permit establishes a total phosphorus limit of 1.0 mg/L during Interim Phase I, 0.3 mg/L during Interim Phase II, and 0.15 mg/L during the Final Phase. Phosphorus is a limiting nutrient in freshwater systems, meaning that even relatively small increases in phosphorus loading can stimulate algal growth, contribute to eutrophication, and degrade water quality.

GEAA acknowledges and appreciates that TCEQ staff and the Executive Director determined that a more stringent phosphorus limit was necessary for the Broken Cedar Ranch draft permit, as the applicants initially proposed a 1.0mg/L phosphorus limit across all project phases in their TPDES application. However, the TCEQ determination that a 0.15 mg/L total phosphorus limit is necessary in the Final Phase indicates that more stringent phosphorus control is required to protect downstream uses in Canyon Lake, including public water supply, aquifer protection, and exceptional aquatic life use.

Additionally, GEAA is concerned that the administrative record for this wastewater permit and application does not demonstrate why less protective phosphorus limits are acceptable during earlier phases of operation. Allowing higher phosphorus concentrations during Interim Phases I & II creates the potential for short-term but real water quality degradation, particularly given the intermittent nature of the receiving stream. The antidegradation policy does not distinguish between temporary and permanent impacts, and existing uses must be maintained and protected at all times.

GEAA recommends that the 0.15 mg/L total phosphorus limit be applied consistently across all phases of the permit. Additionally, due to the water quality concerns regarding 56 domestic water supply wells located within 1.5 miles of the Broken Cedar Ranch WWTF and concerns about cumulative impacts from discharging additional wastewater effluent into Canyon Lake, GEAA requests that TCEQ consider enforcing the strict limit of <0.6 mg/L total phosphorus. This stricter limit aligns with the Ambient Water Reporting Limits (AWRL) and Limit of Quantitation (LOQ) reporting limits for total phosphorus, which TCEQ-certified water quality labs must reliably test and report.

B. Impacts on Surrounding Groundwater Wells and Aquifer Protection: According to the Texas Water Development Board (TWDB), 63 water wells were found to be within a 1.5-mile distance of the Broken Cedar Ranch WWTF, with 32 wells found to be within a mile distance of the Broken Cedar Ranch WWTF (Figure 1). Water well data was pulled from three TWDB groundwater databases: TWDB Groundwater Database (GWDB) reporting 7 wells in the 1.5-mile distance area, Submitted Drillers Reports (SDR) Database reporting 56 wells in the 1.5-mile distance area, and Brackish Resources Aquifer Characterization System (BRACS) Database reporting 0 wells in the 1.5-mile distance area¹.

Further examining the stated water well data, 56 out of the 63 wells were noted to be used for domestic (household), irrigation, or public supply purposes. The volume of wells located in this close proximity to the facility, discharge point, and route poses a serious concern of cross-contamination with the local

¹ Texas Water Development Board. *Groundwater Data Viewer*, 2022, <https://www3.twdb.texas.gov/apps/WaterDataInteractive/GroundwaterDataViewer/?map=sdr>.

groundwater supply that these well owners rely on to meet their needs. Many private wells are not subject to routine water quality monitoring, and well owners rely on groundwater as their primary source of drinking water. The intermittent nature of the receiving stream, combined with the density of nearby wells, raises concerns regarding potential groundwater vulnerability, particularly in areas where surface water may lose flow to the subsurface.

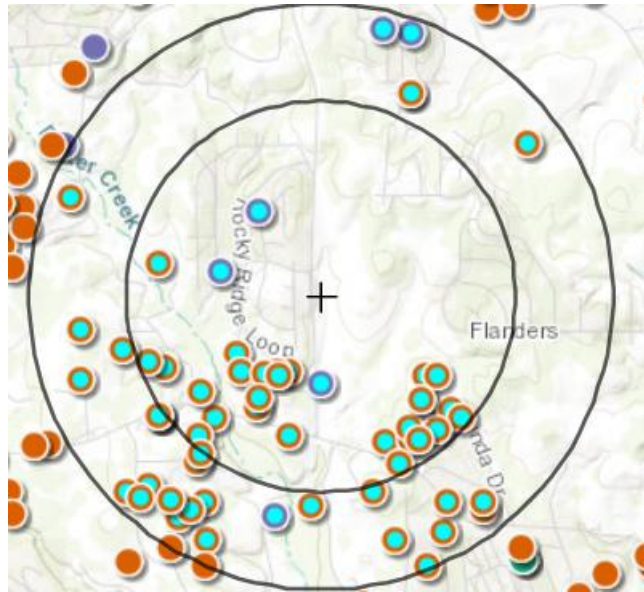


Figure 1: Location of Groundwater Wells from Proposed Broken Cedar Ranch WWTF

Note: Inner Circle: One-mile distance, Outer Circle: 1.5-mile distance.

All impacted wells are highlighted in Light Blue

Orange Circle: SDR Wells, Purple Circle: TWDB GWDB Well, Green Circle: BRACS Well

Additionally, GEAA notes that the application does not include a site-specific evaluation of groundwater connectivity, losing-stream conditions, or well vulnerability along the discharge route. GEAA requests that TCEQ carefully consider the proximity of groundwater resources and ensure that permit conditions adequately protect aquifer resources and private well users.

C. Impacts on Receiving Waterbody and Flow Conditions: As noted in the application paperwork and draft permit, the receiving waterbody for the proposed discharge is an unnamed intermittent tributary that the applicant notes is dry for extended periods. Under low-flow or no-flow conditions, treated effluent would constitute the majority or entirety of surface flow in the receiving stream and downstream reaches. GEAA is concerned that the antidegradation review does not clearly address effluent-dominated flow conditions or evaluate potential impacts during critical low-flow periods. When effluent represents a substantial portion of stream flow, the integrating capacity of the receiving water is reduced, and the potential for nutrient, pathogen, and dissolved oxygen impacts increases.

Given the intermittent nature of the receiving stream and the downstream connection to Canyon Lake, GEAA requests that TCEQ clarify how low-flow conditions were evaluated and ensure that permit conditions are sufficiently protective during periods when effluent from Broken Cedar Ranch WWTF dominates surface flow.

D. Incorporation of Class A Operator and Chapter 210 Authorization: The TPDES application for Broken Cedar Ranch identifies the wastewater operator as “to be determined,” and the draft permit allows operation by a wastewater operator holding a Class C license. Given the size of the facility (up to 0.6 MGD), the phased implementation, the use of membrane bioreactor (MBR) technology, and the nutrient-sensitive receiving waters, GEAA is concerned that insufficient operator qualifications could increase the risk of operational failures or permit violations. GEAA recommends that the permit require oversight by a wastewater operator holding at least a Class A license before the initiation of any discharge. Ensuring that a highly qualified operator is responsible for facility operation would provide an added safeguard for downstream water quality and public health.

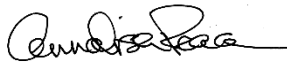
Further, GEAA encourages the applicant and TCEQ to further evaluate opportunities for reclaimed water reuse under Chapter 210 of the Texas Administrative Code. Reducing the volume of direct discharge through beneficial reuse would help minimize nutrient loading to the receiving waters, reduce impacts during low-flow conditions, and support long-term water resource stewardship in the Canyon Lake watershed.

4. Conclusion: The TCEQ has previously stated that in evaluating wastewater permits, it considers baseline conditions in the receiving stream, the physical and hydrological characteristics of the stream, waterbody uses, and the associated water quality standards that protect those uses. GEAA respectfully requests that TCEQ carefully consider the intermittent nature of the receiving stream, downstream designated uses in Canyon Lake, groundwater proximity, and nutrient sensitivity when finalizing this permit.

GEAA appreciates the opportunity to submit these comments and requests that TCEQ adopt permit conditions that are protective of surface water and groundwater resources and consistent with antidegradation requirements.

Thank you for your consideration.

Sincerely,



Annalisa Peace
Executive Director
Greater Edwards Aquifer Alliance



Nathan Glavy
Technical Director
Greater Edwards Aquifer Alliance