

RESOLUTION NO. 20070405-027

WHEREAS, the Texas Commission on Environmental Quality (“TCEQ”) mission statement provides that TCEQ strives to protect our state’s natural resources consistent with sustainable economic development; and

WHEREAS, TCEQ is a regulatory body for having rule making authority and enforcement of the Edwards Rules for development proposed over the Edwards Aquifer; and

WHEREAS, the Edwards Aquifer not only serves as a drinking-water supply for thousands of Central Texas residents, but also provides recreational and aesthetic enjoyment of the aquifer outlet at Barton Springs; and

WHEREAS, the Hays County Water Control and Improvement District (WCID) No. 1 has applied to the Texas Commission on Environmental Quality for the first TPDES direct-discharge permit in the contributing zone or the recharge zone, seeking to discharge up to 800,000 gallons per day of treated domestic sewage directly into the upper reaches of an intermittent but high-quality stream, Bear Creek; and

WHEREAS, the City of Austin’s Environmental Board has demonstrated and resolved in Board Resolution No. 03212007-001 that the Barton Springs segment of the Edwards Aquifer is vulnerable to direct discharges into intermittent to ephemeral streams in the Contributing Zone; and

WHEREAS, the Edwards Rules prohibit direct discharge of pollutant-loaded effluent in the Recharge Zone, the Edwards Rules DO NOT prohibit the direct discharge in the Contributing Zone upstream of the Recharge Zone; and

WHEREAS, while TCEQ rules place some limitations on direct discharges into the Contributing Zone, there are land application technologies available at reasonable cost to developers that will enable zero discharge; and

WHEREAS, Representative Patrick Rose in this 80th Texas Legislative session has filed House Bill No. 3039 to prohibit the TCEQ from issuing permits authorizing direct discharges of wastewater into the contributing zone or recharge zone of the Barton Springs segment of the Edwards Aquifer;
NOW, THEREFORE,

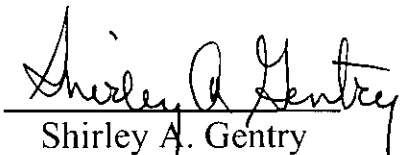
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. That the City Council opposes approval by the TCEQ of the proposed Hays County WCID No. 1 TPDES direct discharge application; and
2. That the City Council opposes any other proposal for direct discharge of wastewater within the contributing zone of the Barton Springs segment of the Edwards Aquifer; and
3. That the City Council supports a Texas Commission on Environmental Quality rule making change that would prohibit direct discharge to the Contributing Zone of the Barton Springs segment of the Edwards Aquifer; and

4. That the City Council amends its Legislative Program for the 80th Legislature, Regular Session, to support House Bill No. 3039; and

5. That the City Manager is directed to inform the members of the Austin Area Delegation to the State Legislature of the City's position as evidenced by this Resolution.

ADOPTED: April 5, 2007

ATTEST: 
Shirley A. Gentry
City Clerk