

RESOLUTION NO.

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 the regulatory body having authority pursuant to the Texas Water Code, §26 and Title 30 of the Texas Administrative Code, §213 (the Edwards Rules) for regulation of activities having the potential for polluting the Barton Springs Segment of the Edwards Aquifer (“Aquifer”); and

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

WHEREAS, Barton Springs provides the only known habitat for the endangered Barton Springs salamander, *Eurycea sosorum*, and the U.S. Fish and Wildlife Service has determined that the primary threats to this species are the degradation of the quality and quantity of water that feeds Barton Springs; and

WHEREAS, the creeks of the contributing zone watersheds flow over the recharge zone and directly and rapidly recharge the Aquifer, offering very little opportunity for assimilation and dilution of contaminants in the subsurface before discharging at Barton Springs; and

WHEREAS, a consensus of scientific analysis and modeling efforts have conclusively demonstrated that the discharge of wastewater that has not been treated to drinking water standards or allows for an increase in nutrient

concentrations in non-storm flow conditions over existing ambient concentrations will cause substantial degradation of the contributing creeks, the Aquifer, Barton Springs, and its endangered species habitat; and

WHEREAS, the Edwards Rules prohibit direct discharge of wastewater in the recharge zone of the Aquifer, but the Edwards Rules do not prohibit direct discharge in the contributing zone or require compliance with standards necessary to prevent degradation of contributing zone watersheds; and

WHEREAS, other indirect and direct wastewater re-use options that are now being practiced in the state of Texas to augment drinking water supplies require additional water treatment unit processes beyond wastewater treatment technologies to ensure drinking water supply standards are met;

NOW, THEREFORE,

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

1. The City supports legislation that does not prohibit sustainable growth and economic development within the contributing zone of the Aquifer, but balances development and protection of a precious and heavily-used resource; and
2. The City supports legislation to restrict the TCEQ from issuing permits authorizing direct discharges of wastewater that do not maintain existing concentrations of nutrients during non-storm influenced conditions into the contributing zone of Aquifer; and

3. The City encourages that, in the alternative, wastewater in the contributing zone of the Aquifer receives advanced wastewater treatment and be managed either by well-located, well-designed, and well-maintained disposal via a Texas Land Application Permit (TLAP), or by beneficial reuse of such effluent, or both, as the available and preferred alternatives to such restricted direct discharge.

ADOPTED: _____, 2011

ATTEST: _____

Shirley A. Gentry
City Clerk