

A G E N D A

**RCA**

Austin City Council

Item ID

5118

Meeting Date:

4/7/2011

Department:

Legal

Subject

Approve Settlement Agreement with the City of Burnet relating to the City of Burnet's application to TCEQ to amend its permit for direct discharge of wastewater into a tributary of Lake Travis.

Amount and Source of Funding

Fiscal Note

Purchasing Language:**Prior Council Action:****For More Information:**

Ross Crow, 974-2159

**Boards and
Commission Action:****MBE / WBE:****Related Items:**

Additional Backup Information

The City of Burnet has applied to the Texas Commission on Environmental Quality (TCEQ) for an amendment to increase the permitted volume of wastewater discharged to a tributary of Lake Travis. Although there is a prohibition by TCEQ on wastewater discharges within 10 stream miles of Lake Travis, the City of Burnet's discharge is outside of the prohibited area. The City of Austin and the Lower Colorado River Authority (LCRA) timely filed hearing requests with TCEQ and entered into negotiations with the City of Burnet.

Water quality modeling done by Watershed Protection Department staff has demonstrated that the permit as drafted would increase summer algae in the upper end of Lake Travis by 15% on average, and would measurably affect the entire lake downstream, with a 2% increase in summer algae on average near the planned intake of Water Treatment Plant 4 (see attached map). The City of Austin and the Lower Colorado River Authority have reached a proposed settlement agreement with the City of Burnet in which the level of wastewater treatment required of the City of Burnet is significantly improved.

The proposed settlement reduces by half the impact on summer algae growth in the upper end of the lake to 7.5%

and there would be no impact in the downstream basin where the Water Treatment Plant 4 intake is located. Because of the significant improvement to the treatment levels originally proposed in TCEQ's draft permit and the significant decrease in expected water quality impacts, staff recommends approval of the proposed settlement agreement.