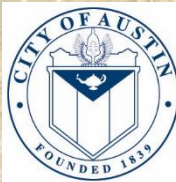


# **Dripping Springs Draft Permit to Discharge Treated Wastewater to Onion Creek**

**Presented to Austin City Council  
November 3, 2016**





# **The City of Dripping Springs is seeking authorization to discharge treated wastewater effluent to Onion Creek in the Barton Springs Zone**

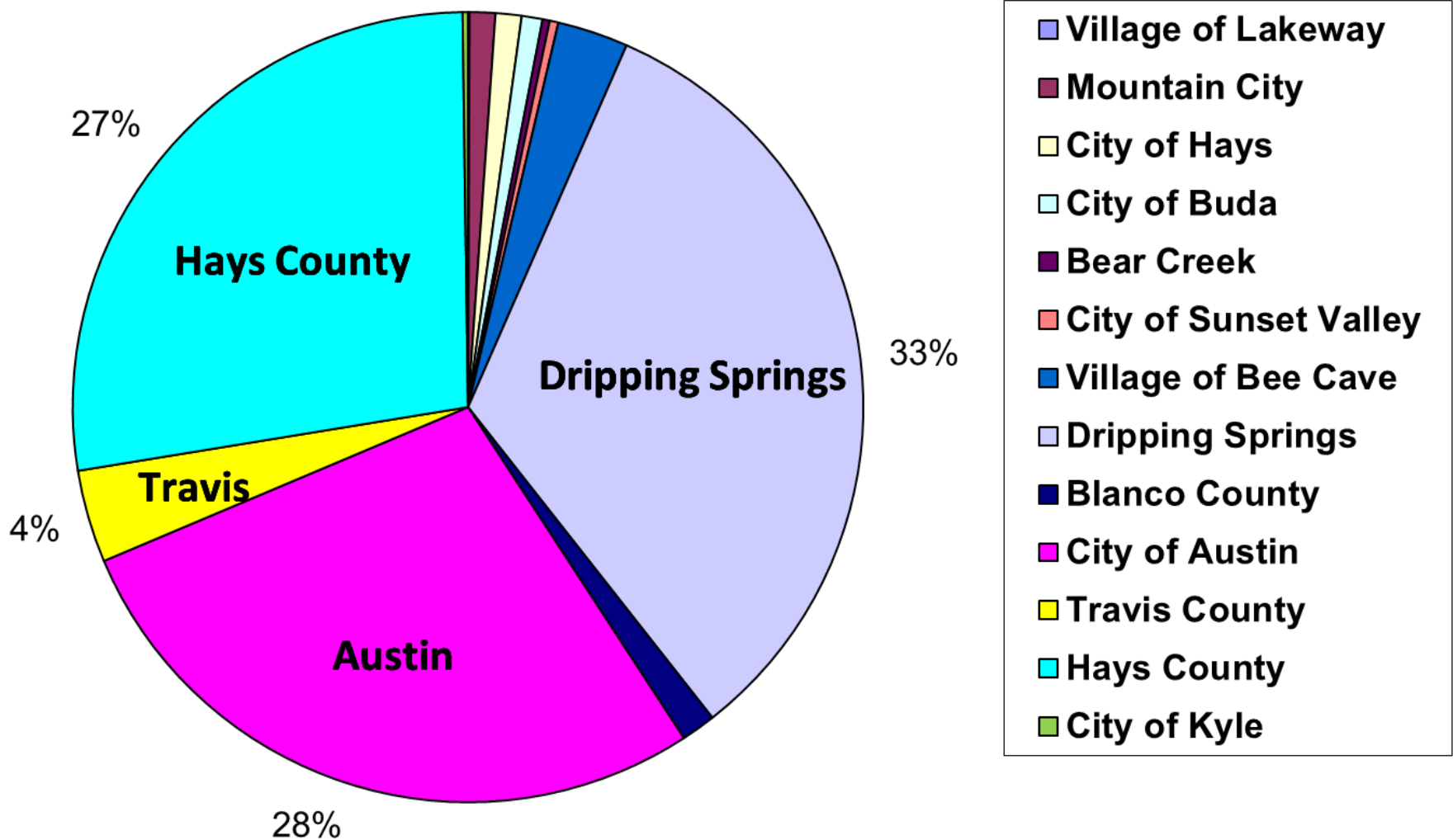
Austin City Council has previously opposed the direct discharge of treated wastewater effluent within the Barton Springs Zone

[Council Resolution 20070405-027](#)

[Council Resolution 20080424-076](#)

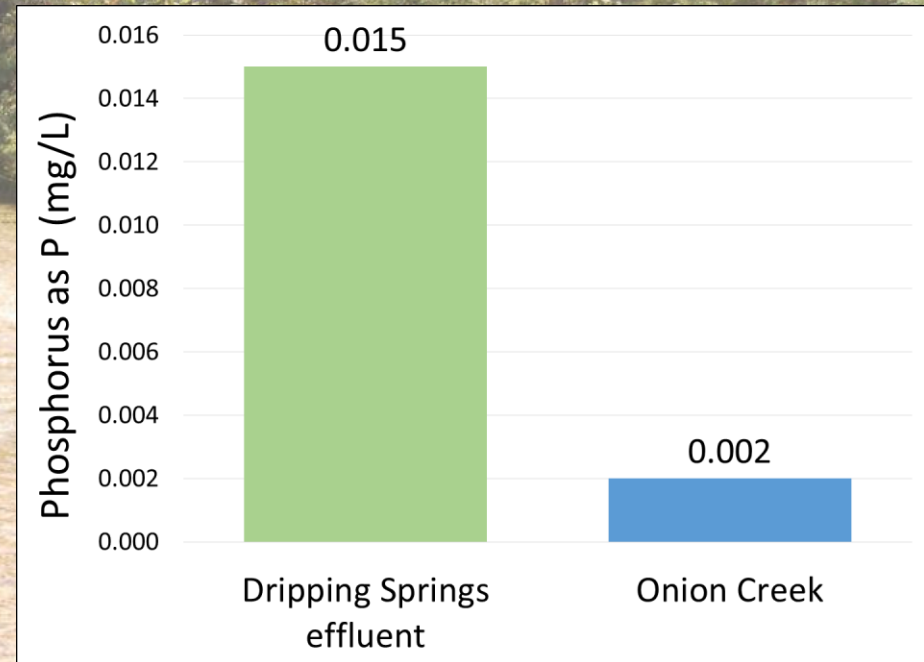
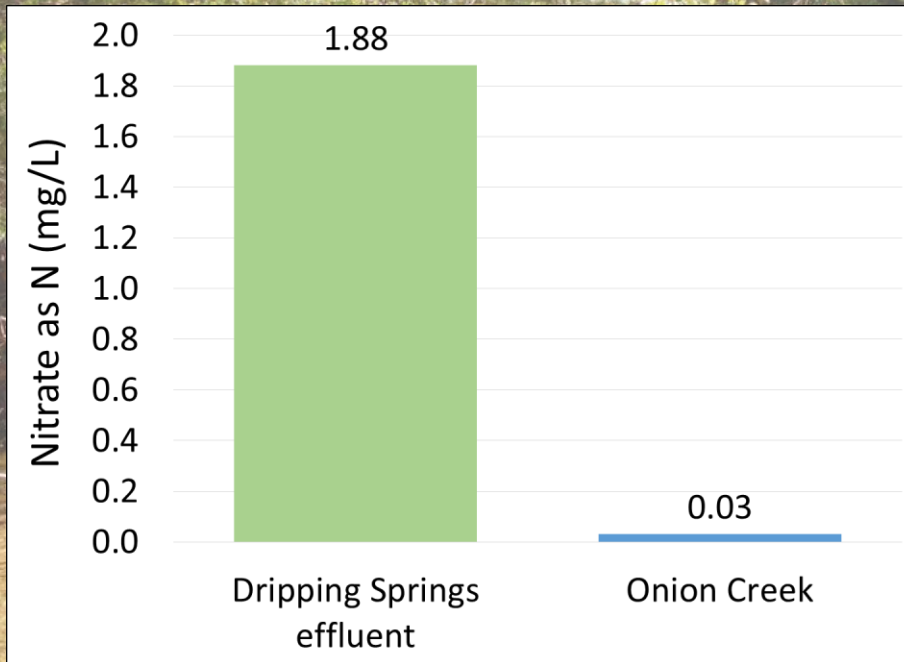
[Council Resolution 20110324-041](#)

# Jurisdictions within the Barton Springs Zone





# Sensitivity of Edwards Plateau Creeks to Nutrient Enrichment



**Even highly treated effluent has excessive concentrations of nutrients and will cause water quality degradation in Hill Country creeks**

# Wastewater disposal regulated by the Texas Commission on Environmental Quality (TCEQ)

Treat and irrigate effluent on the land

- *Dripping Springs current permit*



Treat and discharge effluent directly to a water body

- *Dripping Springs proposed permit*





South Fork of the San  
Gabriel River near US 183



Lake Creek near US 183



Bear Creek near US 290





# **Austin has previously intervened in TCEQ permitting to protect water quality**

## **Belterra Subdivision**

- 1<sup>st</sup> discharge permit in the Barton Springs Zone
- Resolved by settlement and a contested case hearing

## **Jeremiah Ventures**

- 1<sup>st</sup> land application permit over the recharge zone
- Resolved by settlement, land later purchased

## **City of Burnet**

- Proposed expansion would have impacted Lake Travis
- Resolved by settlement, resulted in reduced phosphorus



## **Belterra Subdivision's draft discharge permit was heavily modified in a settlement agreement and a contested case hearing**

Belterra's final wastewater discharge permit was issued in 2009:

- Authorizes discharge only under specific, limited conditions
- Imposes an additional limit on total nitrogen
- Requires in-stream monitoring before/after discharge, with triggers if impacts observed

***Since issuance in 2009, Belterra has never discharged to Bear Creek***



# **In 2015, Dripping Springs applied to TCEQ for a permit to discharge 995,000 gallons per day of treated wastewater into a tributary of Onion Creek**

If approved as drafted, the permit could:

- cause excessive algae growth in Onion Creek
- impact City of Austin conservation easement
- degrade the quality of groundwater recharge

If approved as drafted, the permit will:

- NOT be as protective as Belterra
- set new precedent for unconditional discharges in the Barton Springs Zone

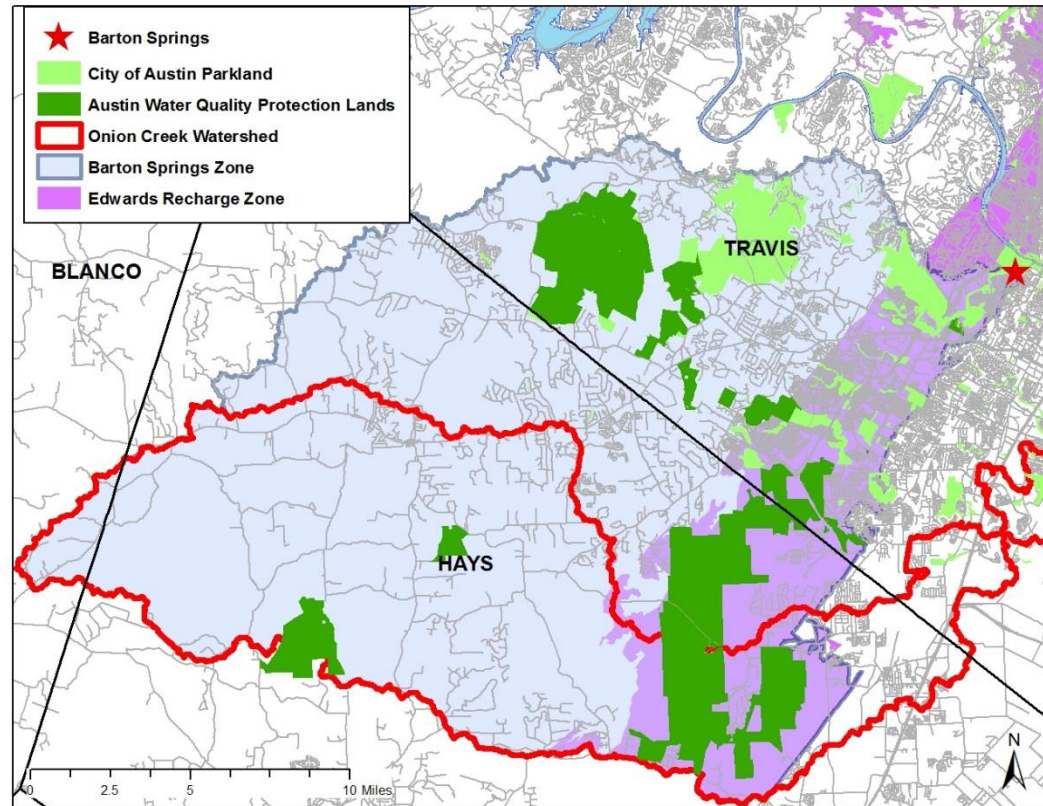


# Since 2014, City of Austin staff have evaluated the proposed permit action

- Initiated TCEQ rule-making to provide a more cost-effective alternative to discharge
- Communicated alternatives to Dripping Springs
- Calibrated models to quantitatively assess impacts
- Provided comments to TCEQ on permit application
- Shared information with downstream landowners and regional partners including:
  - Lower Colorado River Authority
  - Barton Springs Edwards Aquifer Conservation District
  - Hays-Trinity Conservation District



# 11,000+ acres of Water Quality Protection Lands purchased in the Onion Creek Watershed at a cost of \$66,000,000



Onion Creek recharges the Trinity and Edwards aquifers, has the highest water quality of any monitored by Austin, and provides more recharge to Barton Springs than any other source



# Next steps in the permitting process

- TCEQ staff and City of Dripping Springs conduct a public meeting on November 10<sup>th</sup>
- TCEQ staff respond to comments in January 2017
- TCEQ Commissioners may take action in March 2017 to refer the draft permit to the State Office of Administrative Hearings (SOAH) for a contested case hearing



# Next steps in the permitting process

- Administrative Law Judge conducts the contested case hearing and issues a proposed decision
- After considering the proposed decision, TCEQ Commissioners take final action on the permit
- A party or parties may appeal the final decision to district court that, at most, will result in a remand back to TCEQ



# **As the permitting process moves forward, City of Austin staff will continue involvement**

- Evaluate additional alternative scenarios
- Continue discussions with Dripping Springs
- Use data and Dripping Springs' information to validate beneficial reuse representations
- Prepare new comments for TCEQ and request a contested case hearing
- Collaborate with downstream landowners and regional partners