

Dripping Springs Draft Permit to Discharge Treated Wastewater to Onion Creek

**Presented to Austin Environmental Board
December 7, 2016**



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

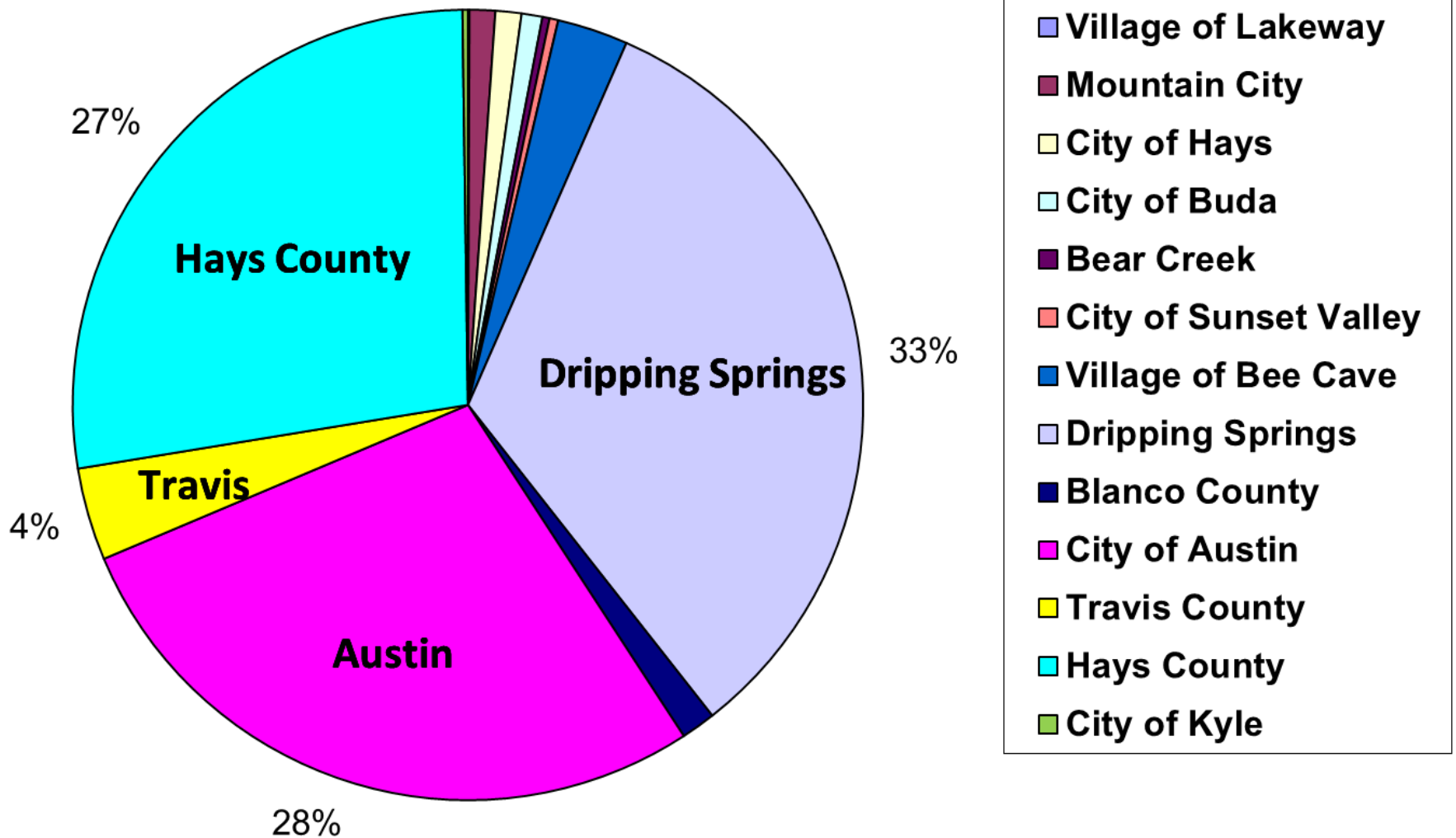
Austin City Council has previously opposed the direct discharge of treated wastewater effluent within the Barton Springs Zone

[Council Resolution 20070405-027](#)

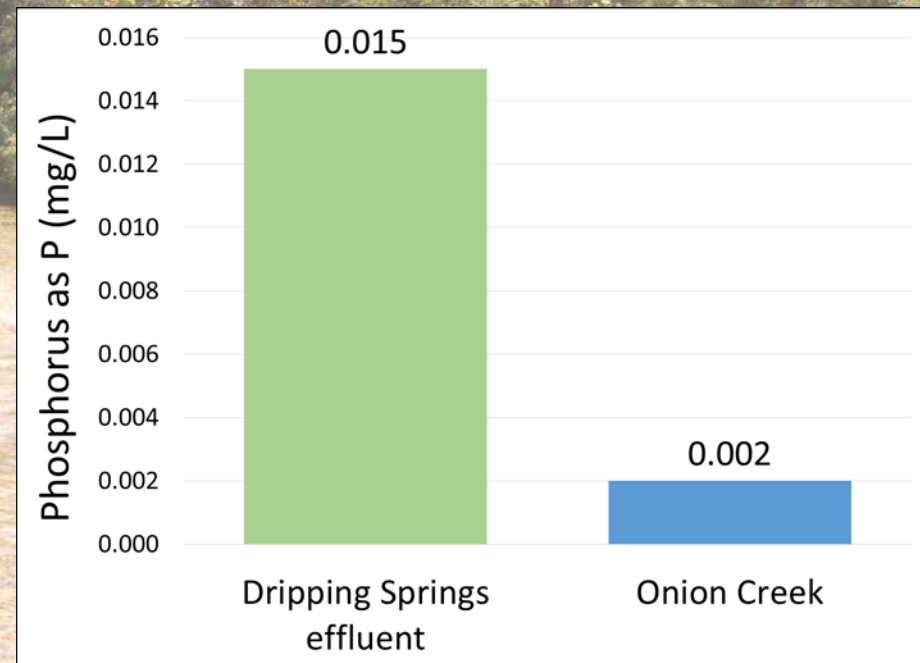
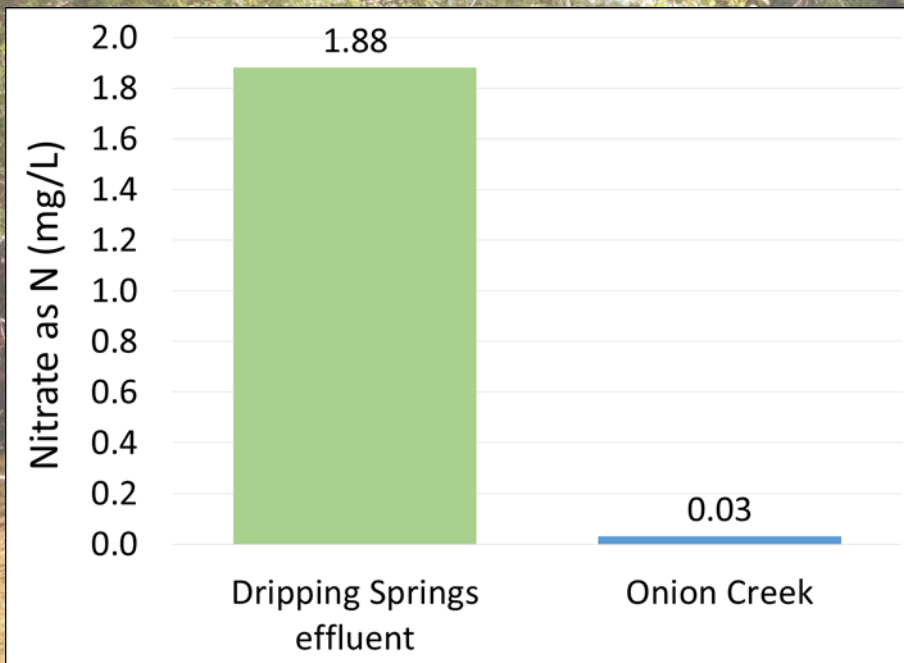
[Council Resolution 20080424-076](#)

[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

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

Jeremiah Ventures

- 1st 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

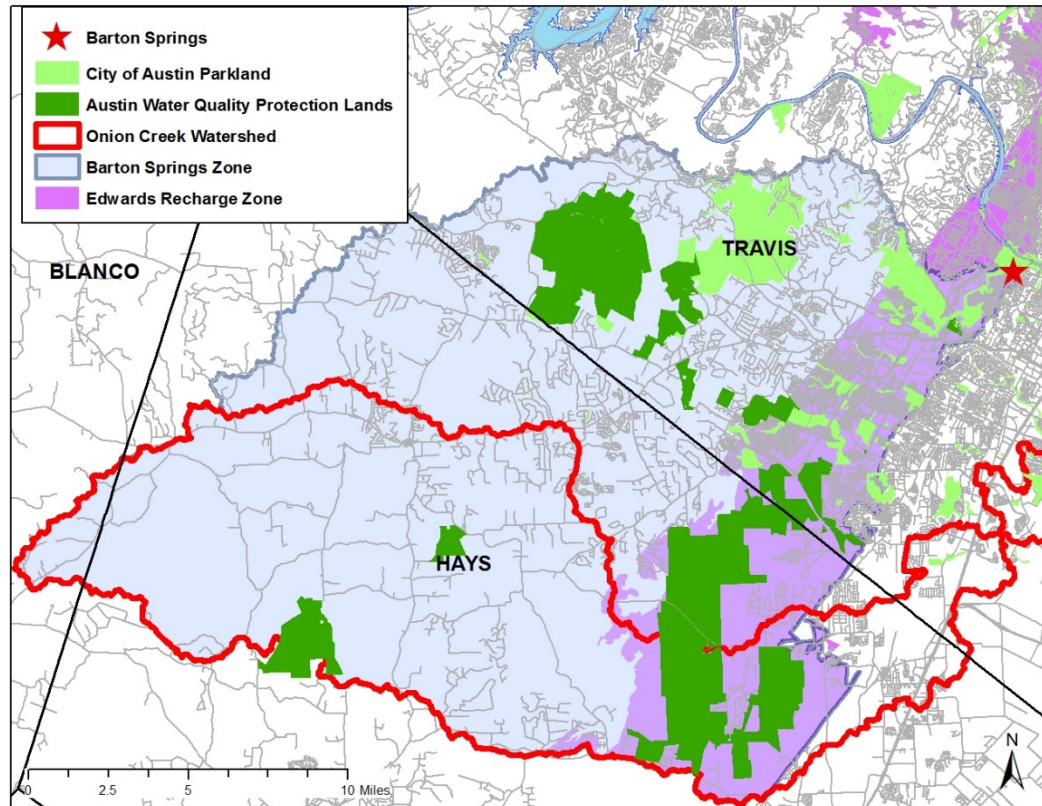
If approved as drafted, the permit will:

- 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

- In January 2017, TCEQ staff respond to comments received up to the public meeting that was conducted on November 10th
- In March 2017, TCEQ Commissioners may take action 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