

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Friday, September 16, 2022 9:05 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015990001

RFR

From: misswidget@gvec.net <misswidget@gvec.net>
Sent: Thursday, September 15, 2022 8:14 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: Mary Allen

EMAIL: misswidget@gvec.net

COMPANY:

ADDRESS: 8096 FM 1101
SEGUIN TX 78155-0481

PHONE: 8308320674

FAX:

COMMENTS: I am requesting a reconsideration of the ED decision. I don't believe adequate consideration has been given to the discharge route. I am a property owner, 200+ acres east of the proposed site +/- 1 mile.
Comment/Response 2: regarding migratory Sandhill Cranes- who,when, how often is downstream sites tested? EPA should be involved. #3: noxious odors: Compliance by operator, on pain of what? Incomplete and inadequate response: who, when, frequency of testing? #4: Property values "outside of your jurisdiction?" Property owners should not bear

the burden of lowered values. Surrounding owners loss, when developer gains as well as taxing authorities. Penalized due to proximity alone, loss of value without due process or compensation? #6: potential flooding: " no authority to regulate flooding" However you should be able to evaluate and withhold permit on grounds of potential flooding. The facility may be out of the 100 year floodplain, but the discharge path is NOT. This response is inadequate. Flooding in this area has occurred 3 times in the last 26 years. If your mission is to protect the environment, then do so, and protect Against easily identifiable And potentially devastating problems. In times of flooding the discharge path may cross my property on the northwest. Respectively submitted, Mary Allen

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Friday, September 16, 2022 9:04 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015990001

H

From: misswidget@gvec.net <misswidget@gvec.net>
Sent: Thursday, September 15, 2022 8:10 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: Mary Allen

EMAIL: misswidget@gvec.net

COMPANY:

ADDRESS: 8096 FM 1101
SEGUIN TX 78155-0481

PHONE: 8308320674

FAX:

COMMENTS: I am requesting a contested case hearing. I am a property owner, 200+ acres east of the proposed site +/- 1 mile. Comment/Response 2: regarding migratory Sandhill Cranes- who,when, how often is downstream sites tested? EPA should be involved. #3: noxious odors: Compliance by operator, on pain of what? Incomplete and inadequate response: who, when, frequency of testing? #4: Property values "outside of your jurisdiction?" Property owners should not bear the burden of lowered values. Surrounding owners loss, when developer gains as well as taxing authorities.

Penalized due to proximity alone, loss of value without due process or compensation? #6: potential flooding: " no authority to regulate flooding" However you should be able to evaluate and withhold permit on grounds of potential flooding. The facility may be out of the 100 year floodplain, but the discharge path is NOT. This response is inadequate. Flooding in this area has occurred 3 times in the last 26 years. If your mission is to protect the environment, then do so, and protect Against easily identifiable And potentially devastating problems. In times of flooding the discharge path may cross my property on the northwest. Respectively submitted, Mary Allen

TCEQ Registration Form

June 7, 2022

①

Gram Vikas Partners, Inc.
Proposed TPDES Permit No. WQ0015990001

PLEASE PRINT

Name: Mary Allen

Mailing Address: 8096 FM 1101

Physical Address (if different): _____

City/State: Seguin Zip: 78155

This information is subject to public disclosure under the Texas Public Information Act

Email: misswidget@gvec.net

Phone Number: (830) 832 0674

- Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

Please add me to the mailing list.

I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.

I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, March 22, 2022 9:18 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: WC0015990001

-----Original Message-----

From: CHIEFCLK <chiefclk@tceq.texas.gov>
Sent: Tuesday, March 22, 2022 8:10 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: WC0015990001

-----Original Message-----

From: Mary Allen <misswidget@gvec.net>
Sent: Monday, March 21, 2022 8:44 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>
Subject: WC0015990001

A 100 year flood is mentioned as the standard for building this facility.
I have seen a 500 year and 1000 year flood hit this area in the last 50 years, 1972, 1998, and 2002.

Look it up!
Mary Allen

Sent from my iPad

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, March 22, 2022 9:18 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: WC0015990001

-----Original Message-----

From: CHIEFCLK <chiefclk@tceq.texas.gov>
Sent: Tuesday, March 22, 2022 8:10 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: WC0015990001

-----Original Message-----

From: Mary Allen <misswidget@gvec.net>
Sent: Monday, March 21, 2022 8:38 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>
Subject: WC0015990001

Comments

The State of Texas offers info on rainfall collection=== that a one inch rain on a 10x10 foot roof will collect almost 50 gallons of water.

This waste water plant and subdivision on 80 acres will increase run off of hundreds of thousands of gallons of water A first year geology student can attest to the flooding that will happen with a 3-5 in rainfall.

I am opposed to this permit approval on many levels.

And if the TCEQ does not have jurisdiction of flooding waterways and air quality, whO does?

A sewer plant smells --- period! And the damage will be chiefly to Guadalupe County watershed.

And the impact on property values not being of topic of consideration in so callous on its face as to be of great concern.

Mary Allen

Sent from my iPad

Dec. 20, 2021

TCEQ
Office of Chief Clerk
MC-105
PO Box 13087
Austin, TX 78711-3087

REVIEWED

DEC 22 2021

By GCW

MWD

124654

CHIEF CLERKS OFFICE

2021 DEC 22 AM 9:58

COMMISSION
ON ENVIRONMENTAL
QUALITY

Re: Proposed Permit WQ0015 990001

Giam Vikas FM 1101, Guadalupe / Coral Coasters

Public comments — all in opposition to this permit

- 1) application incomplete - inaccurate: a) does not reflect waters, ponds used by livestock b) ponds present, adjacent lands and downstream
- 2) application petitions left blank
- 3) wildlife watering — including hundreds of Sandhill cranes ^{native &} that make this area their home for the winter months — Damage to wildlife needing water
- 4) I live close enough to be disturbed by noxious odors from this facility by prevailing winds — less than 1 mile.
- 5) Lowering of property values of surrounding properties due to odors and polluted streams.
- 6) This is about # 4 — of such permits in this area. All eventually discharging into Fork Creek. Too much —!!

This agency is charged with Air + Water Quality —
When will you act to protect it?

- 7) Protect native and migrating wildlife. Protect domestic stock along discharge waterways

Spell out who will provide testing, maintenance, regularity of schedules for same. - Who, what, when is responsible should be detailed + bonds posted for that responsibility.

Mary Annis Allen

8096 FM 1101

Seguin, TX 78155

830-832 0674.

Suggestion for resolution -

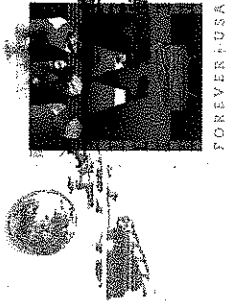
Connect to sewer lines from New Braunfels, San Marcos, Seguin for more oversight - better regulation and less odors, risks, damage - no dewatering. The concentration of responsibility for these facilities will result in more public + wildlife protection - with the exception of TQEQ - whose only responsibility is to grant ANY permit without much due diligence. What/whose environment are you protecting? MA



Mary Allen
8096 Fm 1101
Seguin, TX 78155

ON ENVIRONMENTAL
COMMISSIONS
OFFICE
2021 DEC 22 AM 9:00
CHIEF CLERK'S OFFICE

SAN ANTONIO TX 780
RIO GRANDE DISTRICT
20 DEC 2021 PM 3 L

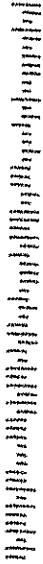


TCEQ
Chief Clerk - MC 105
90 Bay 13087
Austin, Tx 78711-3087

RECEIVED

DEC 22 2021
TCEQ MAIL CENTER
WT

78711-308787



Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Monday, September 19, 2022 1:53 PM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0015990001
Attachments: TRPA and GEAA Contested Case Hearing Request for Gram Vikas.pdf

H

From: bill@sosalliance.org <bill@sosalliance.org>
Sent: Friday, September 16, 2022 3:49 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: Bill Bunch

EMAIL: bill@sosalliance.org

COMPANY: Save Our Springs Alliance

ADDRESS: 4701 W GATE BLVD Ste. D-401
AUSTIN TX 78745-1479

PHONE: 5124772320

FAX:

COMMENTS: Please find TRPA's and GEAA's Contested Case Hearing Request for WQ0015990001 attached.

Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087 – MC 105
Austin, Texas 787011 – 3087

September 16, 2022

Via: Online Submission Form

RE: Request for Contested Case Hearing on the Application and Draft Permit of Gram Vikas Partners, Inc., for Proposed TPDES Permit No. WQ0015990001

Dear Ms. Gharis,

Texas Rivers Protection Association (TRPA) and the Greater Edwards Aquifer Alliance (GEAA) request a contested case hearing on the proposed TPDES Permit No. WQ0015990001.

Gram Vikas Partners, Inc. (“the Applicant”) has applied for a new discharge permit, proposed TPDES Permit No. WQ0015990001 (“Draft Permit”), to authorize wastewater discharge at a volume not to exceed 200,000 gallons per day. The Applicant proposed to construct a new wastewater treatment plant, Mesquite Creek Wastewater Treatment Facility, that will serve the Mesquite Creek Residential Development. The Draft Permit would allow the discharge of treated effluent into Mesquite Creek, thence to York Creek, thence to the Lower San Marcos River in Segment No. 1808 of the Guadalupe River Basin.

I. The Requesting Parties Meet the Requirements to be Considered an “Affected Person.”

Both TRPA and GEAA meet the requirements set out in 30 T.A.C. § 55.205 for a group or association to be considered an “affected person” for the purposes of requesting a contested case hearing.

1. TRPA.

TRPA is a non-profit organization whose mission is to protect public access and preserve the flow, water quality, and natural beauty of the rivers of Texas, including the San Marcos and Guadalupe Rivers. TRPA sponsors river clean-ups, engages in public outreach and education to its members and the public concerning preservation of water quality of Texas rivers and streams, and regularly participates in wastewater permitting cases. TRPA’s work and mission directly encompass protecting the receiving waters for the Draft Permit, and issuance of the Draft Permit will harm TRPA’s interests in protection of water quality, aquatic life, property values, recreation, conservation, and aesthetic beauty of the receiving waters. TRPA submitted timely comments on the Draft Permit on March 21, 2022 and June 7, 2022 detailing the ways in which the Draft Permit will harm these interests and the receiving waters.

TRPA has members who would otherwise have standing to request a contested case hearing in their own right. Among these is TRPA member Charles Pfluger.

2. GEAA.

GEAA is a nonprofit organization that “promotes effective broad-based advocacy for protection and preservation of the Edwards Aquifer, its springs, watersheds, and the Texas Hill Country that sustains it.” GEAA works to produce and distribute educational materials related to water quality and quantity, expand and aid public interest efforts in field of sustainable water and land use practices, and catalyze investments into the preservation of the Edwards Aquifer. GEAA also regularly participates in the wastewater permitting process in the Texas Hill Country to ensure that water quality is maintained in the rivers, streams, and aquifers GEAA seeks to protect, including the receiving waters for the Draft Permit. GEAA submitted timely comments describing the ways in which the Draft Permit will harm the waterways GEAA seeks to protect on June 7, 2022.

GEAA has members who would otherwise have standing to request a contested case hearing in their own right, including Charles Pfluger.

3. Mr. Charles Pfluger.

Mr. Pfluger owns real property adjacent to the site of the proposed wastewater treatment plant located at 6960 F.M. 1101, New Braunfels, Texas 78130 and 603 Schwarzlose Road, New Braunfels, Texas 78130. The receiving waters of Mesquite Creek run through Mr. Pfluger’s property and into and through a damless pond (“the Pond”) located on his property. Mr. Pfluger may be reached during the day time at 830-221-8236 and at pfluger5357@gmail.com. Mr. Pfluger is a member of TRPA and GEAA.

Mr. Pfluger’s economic, property, aesthetic, recreation, and personal health and safety interests will be harmed by the Draft Permit. Mr. Pfluger lives on this property, which has been in his family for several generations, with his wife Lindsay. Mr. Pfluger has enjoyed living on the property most of his life and is actively engaged with ranching operations on the property. Mr. Pfluger also uses the property to raise cattle to sell, and Mesquite Creek and the Pond are the primary source of water for his herds. Mr. Pfluger also stocks the Pond with largemouth bass for fishing and uses the Pond for recreation. The proliferation of algae, odor, harm to aquatic and terrestrial wildlife, flooding, and increased turbidity of the water caused by the Draft Permit would harm all of the interests that Mr. Pfluger has in his property.

For these reasons, TRPA and GEAA are “affected person[s]” entitled to a contested case hearing on the application and Draft Permit. 30 T.A.C. § 55.205.

II. The TCEQ Executive Director Did Not Sufficiently Address the Issues Raised by TRPA and GEAA, and TRPA and GEAA Request a Contested Case Hearing on These Issues.

TRPA and GEAA remain concerned about the impacts of the Draft Permit on the receiving waters in light of the high levels of nutrients in the wastewater effluent. The following relevant and material issues were timely raised by TRPA and GEAA during the comment period for the Draft Permit and were not sufficiently addressed by the TCEQ Executive Director (“ED”).

TRPA and GEAA reiterate the concerns and comments raised during the comment period as the basis for TRPA's and GEAA's request for a contested case hearing, and to further show that the ED did not adequately address TRPA's and GEAA's comments.

These issues were raised by TRPA and GEAA and were not adequately addressed in the ED's Response to Comments ("RTC"):

1. Whether the Draft Permit is protective of aquatic and terrestrial wildlife.
2. Whether the Draft Permit will maintain surface waters in an aesthetically attractive condition.
3. Whether the Draft Permit will violate Texas Water Quality Standards.
4. Whether the Draft Permit will violate applicable antidegradation standards.
5. Whether TCEQ should have conducted Tier 2 antidegradation review.
6. Whether the Draft Permit is protective of groundwater.
7. Whether the Application contains errors and inaccurate information.

This request for Contested Case Hearing identifies specific comments made by TRPA and GEAA related to the above issues (as numbered by the ED), the ED's corresponding response in his RTC, and the factual basis of each dispute, as well as any related disputed issues of law.

Issue 1: Whether the Draft Permit is protective of aquatic and terrestrial wildlife.

Comments 2, 24, 26, 29, and 30. TRPA and GEAA commented that the Draft Permit will harm aquatic and terrestrial wildlife and harm Mr. Pfluger's livestock. The current limit on total phosphorus in the Draft Permit is too high and will cause excess algal growth that will render the receiving waters harmful to and unsuitable for use by aquatic and terrestrial wildlife and Mr. Pfluger's livestock.

In response, the ED stated that the Draft Permit complies with Texas Surface Water Quality Standards.

This response is inadequate because the ED provided no factual basis or explanation to support his conclusion that the Draft Permit complies with Texas Surface Water Quality Standards, and the evidence presented by TRPA, unaddressed by the ED, shows that the Draft Permit will lead to excess algal growth that will harm wildlife and Mr. Pfluger's livestock.

Issue 2: Whether the draft Permit will maintain surface waters in an aesthetically attractive condition.

Comments 14, 24, 26, and 29. TRPA and GEAA commented that the Draft Permit will damage the aesthetics of the receiving waters by causing a proliferation of nuisance algal growth.

The ED responded that TCEQ's wastewater permitting jurisdiction does not encompass aesthetic concerns.

This response is inadequate and incorrect, as the Texas Surface Water Quality Standards specifically address "Aesthetic parameters" and required that "[s]urface waters must be maintained in an aesthetically attractive condition." 30 T.A.C. § 307.4(b). The ED did not respond to TRPA's concerns that the Draft Permit will damage the aesthetics of the receiving waters due to excessive algae growth.

Issue 3: Whether the Draft Permit will violate Texas Water Quality Standards.

Comments 2, 14, 24, 26, 29, and 30. TRPA commented that the Draft Permit will violate Texas Water Quality Standards, and TRPA and GEAA commented that the Draft Permit will degrade water quality. Specifically, the Draft Permit will violate 30 T.A.C. § 307.4(e) that states "[n]utrients from permitted discharges or other controllable sources must not cause excessive growth of aquatic vegetation that impairs an existing, designated, presumed, or attainable use." And as discussed under Issue 2 will violate the standard that "[s]urface waters must be maintained in an aesthetically attractive condition." 30 T.A.C. § 307.4(b). TRPA also commented that the Draft Permit will cause a proliferation of nuisance algae that will impair uses, damage the aesthetics of the receiving waters, and impair existing uses of the receiving waters. TRPA provided scientific studies supporting the conclusion that the Draft Permit will violate Texas Water Quality Standards.

In response to TRPA's comment that existing uses of the receiving waters will be impaired and comment that the Draft Permit will harm aquatic and terrestrial wildlife, the ED stated that the Draft Permit includes provisions to maintain the Texas Water Quality Standards. The ED also responded that the effluent limits for the Draft Permit were written to prevent degradation of the receiving waters. Further, the ED stated that the total phosphorus limit in the Draft Permit is sufficient to preclude algal growth. And, as mentioned under Issue 2, the ED erroneously claimed that TCEQ had no authority over aesthetic parameters in the receiving waters.

The ED's response is inadequate because the ED did not explicitly acknowledge TRPA's comment that the Draft Permit will violate Texas Water Quality Standards; the comments listed in the previous paragraph only tangentially touch on the issue. Furthermore, the ED provided not factual basis or explanation for concluding that the Draft Permit would comply with Texas Water Quality Standards and did not address the scientific studies provided by TRPA that demonstrate the Draft Permit will indeed violate the Texas Water Quality Standards.

Issue 4: Whether the Draft Permit will violate applicable antidegradation standards.

Comments 26, 29, 30, and 32. TRPA and GEAA commented that the Draft Permit does not comply with applicable antidegradation standards; specifically, the Draft Permit will violate the Tier 1 antidegradation standard which requires that “[e]xisting uses and water quality sufficient to protect those existing uses must be maintained.” 30 T.A.C. § 307.5(b)(1). The current total phosphorus limit of 0.5 mg/L in the Draft Permit is much higher than the baseline total phosphorus levels in the receiving waters and, thus, based on a large and well vetted body of scientific evidence, the Draft Permit will cause nuisance algal growth that will impair all of the existing uses of the receiving waters including recreation, fishing, and livestock watering. TRPA also provided TCEQ with some of the scientific studies supporting this conclusion. The risks and impairment of uses associated with high total phosphorus limits in the Draft Permit will further be exacerbated by the fact that Mesquite Creek is often dry and will be composed 100% of wastewater effluent during significant time periods. Moreover, the Draft Permit would violate Tier 2 antidegradation standard by lowering the water quality of the receiving waters by more than a *de minimis* extent.

The ED responded that the total phosphorus limit for the Draft Permit was “applied consistent with TCEQ’s regulatory procedures,” and that Tier 1 antidegradation review conducted by TCEQ preliminarily found that existing uses would not be impaired by the Draft Permit. The ED did not address any of the scientific studies provided by TRPA demonstrating that the total phosphorus limit in the Draft Permit will lead to impairment of uses.

The ED’s response is insufficient because the response failed to explain how and why the Draft Permit would comply with the Tier 1 antidegradation standard and provided only conclusory remarks that TCEQ procedures were followed. However, following procedures does not necessarily guarantee compliance with applicable antidegradation standards, and TRPA provided TCEQ with evidence that the Draft Permit will violate the applicable standards, evidence which the ED did not address in the RTC. Further, the ED failed to provide sufficient factual information to support his assertion that the Draft Permit will not violate the Tier 1 antidegradation standard.

Issue 5: Whether TCEQ should have conducted Tier 2 antidegradation review.

Comment 32. TRPA commented that TCEQ should have conducted Tier 2 antidegradation review on Segment 1808 of the San Marcos River, since the segment is designated as having high aquatic life use, primary contact recreation, and is a primary source of drinking water. TRPA also commented that TCEQ should perform Tier 2 antidegradation review for the pond on Mr. Pfluger’s property because the pond is used for contact recreation and at least intermediate aquatic life use, as the pond has sufficient conditions to support the largemouth bass that Mr. Pfluger stocks.

The ED responded that the aquatic life uses for the pond were assigned based on the Procedures to Implement the Texas Surface Water Quality Standards, but that the assigned uses could be modified if additional evidence was presented to TCEQ. The ED also stated that TCEQ had

conducted Tier 1 antidegradation review “numerical and narrative criteria to protect existing uses will be maintained.”

The ED’s response is insufficient, because TRPA provided TCEQ with additional evidence showing that Tier 2 review should be conducted on the pond, and the ED failed to address the evidence provided. The ED’s response focused on TCEQ’s Tier 1 review for the Draft Permit, a less stringent and separate inquiry that cannot be a substitute for Tier 2 review. Furthermore, the ED did not address TRPA’s request that Tier 2 review be conducted on Segment 1808 of the San Marcos River at all.

Issue 6: Whether the Draft Permit is protective of groundwater.

Comment 26. TRPA commented that groundwater is at risk of contamination since once the wastewater effluent reaches the San Marcos River, the San Marcos River crosses alluvial aquifers and can seep underground through gravel.

The ED responded that he has determined that “if a permit is protective of surface water quality, groundwater quality in the vicinity will not be impacted by the discharge.” The ED claimed that since the Draft Permit was drafted to maintain the existing uses of the surface waters, groundwater will not be harmed.

This response is inadequate because, as set out more fully in under the other issues, the Draft Permit will not maintain the existing uses of the surface receiving waters. So, by the ED’s own logic, the groundwater will be harmed. The ED did not address the alluvial features present in the region that will allow groundwater to be contaminated with wastewater and failed to explain or provide a factual basis for concluding that the Draft Permit will not harm groundwater in the area.

Issue 7: Whether the Application contains errors and inaccurate information.

Comment 1: TRPA commented that the Application for the Draft Permit contained inaccurate or false information that is material to assessing the impacts of the Draft Permit on water quality. These errors include: (1) failure to identify the pond on Mr. Pfluger’s property; (2) a statement that the receiving waters are of limited aquatic life; (3) characterizing the receiving waters as a man-made ditch or channel; (4) failure to identify upstream influences; (5) failure to identify applicable waterbody uses.

The ED responded that the TCEQ staff use information from additional sources other than the Application when determining effluent limits and permit conditions.

The ED’s response is insufficient, because it fails to address the fact that the Application contains errors and that the Application has not been supplemented to correct the errors. TCEQ regulations require an applicant to sign a statement swearing that the information provided in an application is accurate and complete, under penalty of law. 30 T.A.C. 281, 305. Here, the Application is not accurate or complete and has not been supplemented, putting the Applicant in

violation of the law. Approval of the Application, as is, violates TCEQ regulations. The ED's response does not explain or justify this oversight.

III. Conclusion

TRPA and GEAA respectfully request a contested case hearing on the application and Draft Permit for amended TPDES Permit No. WQ0015990001. TRPA and GEAA request that the TCEQ Commissioners refer the case to the State Office of Administrative Hearings on the issues listed and discussed above.

TRPA and GEAA continue to urge the Applicant and TCEQ to provide for the re-use of wastewater effluent and/or to apply for a TLAP permit to avoid the discharge of treated sewage into the sensitive receiving waters.

Thank you for considering TRPA's and GEAA's comments and concerns associated with the Application and Draft Permit and for considering TRPA's and GEAA's Contested Case Hearing Request.

Please use the contact information below for all communications with TRPA and GEAA on this matter.

Sincerely,

Bill Bunch
Save Our Springs Alliance
4701 Westgate Blvd.
Bldg. D, Suite 401
Austin, Texas 78745
Tel.: 512-477-2320
Fax: 512-477-6410
bill@sosalliance.org

*Attorney for Texas Rivers Protection Association
Attorney for Greater Edwards Aquifer Alliance*

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Monday, September 19, 2022 1:46 PM
To: PUBCOMMENT-WPD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0015990001
Attachments: Apache Creek, Gram Vikas TPDES Permit.docx

RFR

From: tcastaneda@longbow-partners.com <tcastaneda@longbow-partners.com>
Sent: Friday, September 16, 2022 5:39 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: MR Tris Castaneda

EMAIL: tcastaneda@longbow-partners.com

COMPANY: Longbow Partners

ADDRESS: 502 W 13TH ST # TX
AUSTIN TX 78701-1827

PHONE: 5127893779

FAX:

COMMENTS: September 16, 2022 Ms. Laurie Gharis Chief Clerk, TCEQ MC-105 P.O. Box 13087 Austin, Texas 78711-3087 RE: Gram Vikas Partners, Inc. TPDES Permit No. WQ0015990001 REQUEST LETTER FOR RECONDIATION OF THE EXECUTIVE DIRECTOR'S DECISION Pursuant to TCEQ Rule 55.209((f) and on behalf of my mother and property owner of Apache Creek Ranch, located at 7495 FM 1101, Sequin, Texas 78155), Sylvia G. Castaneda ("Requestors") respectfully

and timely submits this reconsideration request to the Executive Director's preliminary decision to grant the application by Gram Vikas Partners, Inc. ("Applicant") for a TPDES permit. Sylvia G. Castaneda's property, while inconclusive from available information, is at or within a mile of the proposed wastewater treatment plant site, potentially qualifying her as an "affected person" as defined in commission rule 30 TAC §55.203. Apache Creek is working ranch and the health and safety of livestock (cattle and goats), and wildlife populations and habitats is of paramount importance to the continued business use and enjoyment of the property. After review of the proposed application, the agency evaluation process, the determination of standards used, and the Executive Director's response to comment, some genuine concerns remain, provoking the submittal of this letter requesting reconsideration of the preliminary decision to approve the permit "as is" without additional technical review and conditions. Those concerns are set forth below: 1. According to the record, the Applicant published the NORI on August 1, 2021, in the Seguin Gazette. After the application was determined technically complete, the Applicant published the NAPD on December 5, 2021, in the Seguin Gazette. Publication of notice in a local newspaper is a requirement of the Texas Water Code. A virtual public meeting was held on March 21, 2022, and a live, in person, public meeting was held on June 7, 2022. Notice was provided as required by 30 TAC § 39.53(e)(6). The comment period closed on June 7, 2022. Both Comal and Guadalupe counties have significant Hispanic/Latino populations, with local school districts offering bilingual education, yet the applicant and agency review failed to note that during notice. Is this omission fatal to the application? 2. The Executive Director noted in Response 1 that the permit application, while critical to the technical review of the permit, is not the only source of information TCEQ relies upon to make its effluent limit determinations and permit conditions, that permit applications are often based on the "best information available" to the Applicant and may need to be supplemented with information from the general public or other entities. General public comment and specific written comment from those initially identified as being an affected persons raised a number of factual and legal concerns such as those relating to "manmade ditches", "livestock watering", "fishing" and "non-contact recreation uses" as well as the existence of aquatic life, particularly during extensive rains and flooding within perennial pool, not to mention at least one stock tank on the Pfluger property as being incorrectly overlooked or not fully taken into account when reviewing the discharge standard. Reconsideration of the technical sufficiency and protective standards recommended in the proposed permit would seem the more the legally sufficient and environmentally appropriate course. 3. The applicant listed in Worksheet 2 "personal observation" as the standard used to characterize flow characteristics of new downstream discharges. With insufficient detail on when the examination took place or how the modeling was able to verify "cumulative impacts," the ED's response to public comment stated that "TCEQ staff examine the stream using tools such as aerial imagery and geographic information systems (GIS) data to characterize and measure the downstream waterbodies. Staff also verify whether existing discharges in the area, upstream or downstream, will create a cumulative impact on the receiving waters as part of their respective reviews. Response 17 noted that TCEQ does not have the resources to visit every proposed site that applies for a TPDES application. However, the discharge route was evaluated via a desktop review that included information from United States Geological Survey (USGS) maps, aerial photography, information from reviews of nearby facilities, and information in the application. Reconsideration of the technical sufficiency between "verification", "desktop review" and the "applicants' submitted standards" are legally interchangeable, appropriate, and sufficiently protective. 4. Respectfully request a review and modification of the Executive Director's preliminary recommendation of a Tier 1 designation to a Tier 2 antidegradation standard as a result of insufficient detail on "which other nearby permitted facilities" helped inform the treatment determination as well as the suitability of the standard used during the "weight of evidence" antidegradation desktop review performed (see Response 32). The ED does indicate that the preliminary determination can be reexamined and may be modified if new information is received – a determination to important to leave to the applicant and desk top review without actual input from affected persons and impacted landowners or concrete, visual verification. 5. While we appreciate TCEQ adding a TP limit of 0.5 mg/L instead of the Applicant's proposed TP limit of 1.0 mg/L for all phases. (Response 24), providing a Tier 2 antidegradation along with stringent narrative effluent monitoring would help ensure protective water quality standards, avoid adverse impairment to livestock, aquatic life, and habitat, and ease the community's concerns over the continued business use and enjoyment of their property. Due to the issues cited in this letter, the requestors respectfully request reconsideration of the Executive Director's preliminary decision, approving the Gram Vikas application "as is" without addressing the deficiencies noted, including more conclusive study of the standards used and the conditions imposed on the applicant. Respectfully submitted Tristan "Tris" Castaneda, Jr Partner Longbow Partners 502 West 13th Street Austin, Texas 78701 (O) 512.320.9933 tcastaneda@longbow-partners.com www.longbowpartners.com

September 16, 2022

Ms. Laurie Gharis
Chief Clerk, TCEQ MC-105
P.O. Box 13087
Austin, Texas 78711-3087

RE: Gram Vikas Partners, Inc.
TPDES Permit No. WQ0015990001

REQUEST LETTER FOR RECONSIDERATION OF THE EXECUTIVE DIRECTOR'S DECISION

Pursuant to TCEQ Rule 55.209(f) and on behalf of my mother and property owner of Apache Creek Ranch, located at 7495 FM 1101, Seguin, Texas 78155), Sylvia G. Castaneda ("Requestors") respectfully and timely submits this reconsideration request to the Executive Director's preliminary decision to grant the application by Gram Vikas Partners, Inc. ("Applicant") for a TPDES permit. Sylvia G. Castaneda's property, while inconclusive from available information, is at or within a mile of the proposed wastewater treatment plant site, potentially qualifying her as an "affected person" as defined in commission rule 30 TAC §55.203.

Apache Creek is working ranch and the health and safety of livestock (cattle and goats), and wildlife populations and habitats is of paramount importance to the continued business use and enjoyment of the property. After review of the proposed application, the agency evaluation process, the determination of standards used, and the Executive Director's response to comment, some genuine concerns remain, provoking the submittal of this letter requesting reconsideration of the preliminary decision to approve the permit "as is" without additional technical review and conditions. Those concerns are set forth below:

1. According to the record, the Applicant published the NORI on August 1, 2021, in the Seguin Gazette. After the application was determined technically complete, the Applicant published the NAPD on December 5, 2021, in the Seguin Gazette. Publication of notice in a local newspaper is a requirement of the Texas Water Code. A virtual public meeting was held on March 21, 2022, and a live, in person, public meeting was held on June 7, 2022. Notice was provided as required by 30 TAC § 39.53(e)(6). The comment period closed on June 7, 2022. Both Comal and Guadalupe counties have significant Hispanic/Latino populations, with local school districts offering bilingual education, yet the applicant and agency review failed to note that during notice. Is this omission fatal to the application?

2. The Executive Director noted in Response 1 that the permit application, while critical to the technical review of the permit, is not the only source of information TCEQ relies upon to make its effluent limit determinations and permit conditions, that permit applications are often based on the *"best information available"* to the Applicant and may need to be supplemented with information from the general public or other entities. General public comment and specific written comment from those initially identified as being an affected persons raised a number of factual and legal concerns such as those relating to "manmade ditches", "livestock watering", "fishing" and "non-contact recreation uses" as well as the existence of aquatic life, particularly during extensive rains and flooding within perennial pool, not to mention at least one stock tank on the Pfluger property as being incorrectly overlooked or not fully taken into account when reviewing the discharge standard. Reconsideration of the technical sufficiency and protective standards recommended in the proposed permit would seem the more the legally sufficient and environmentally appropriate course.
3. The applicant listed in Worksheet 2 *"personal observation"* as the standard used to characterize flow characteristics of new downstream discharges. With insufficient detail on when the examination took place or how the modeling was able to verify "cumulative impacts," the ED's response to public comment stated that "TCEQ staff examine the stream using tools such as aerial imagery and geographic information systems (GIS) data to characterize and measure the downstream waterbodies. Staff also verify whether existing discharges in the area, upstream or downstream, will create a cumulative impact on the receiving waters as part of their respective reviews. Response 17 noted that TCEQ does not have the resources to visit every proposed site that applies for a TPDES application. However, the discharge route was evaluated via a desktop review that included information from United States Geological Survey (USGS) maps, aerial photography, information from reviews of nearby facilities, and information in the application. Reconsideration of the technical sufficiency between "verification", "desktop review" and the "applicants' submitted standards" are legally interchangeable, appropriate, and sufficiently protective.
4. Respectfully request a review and modification of the Executive Director's preliminary recommendation of a Tier 1 designation to a Tier 2 antidegradation standard as a result of insufficient detail on "which other nearby permitted facilities" helped inform the treatment determination as well as the suitability of the standard used during the "weight of evidence" antidegradation desktop review performed (see Response 32). The ED does indicate that the preliminary determination can be reexamined and may be modified if new information is received – a determination to important to leave to the applicant and desk top review without actual input from affected persons and impacted landowners or concrete, visual verification.

5. While we appreciate TCEQ adding a TP limit of 0.5 mg/L instead of the Applicant's proposed TP limit of 1.0 mg/L for all phases. (Response 24), providing a Tier 2 antidegradation along with stringent narrative effluent monitoring would help ensure protective water quality standards, avoid adverse impairment to livestock, aquatic life, and habitat, and ease the community's concerns over the continued business use and enjoyment of their property.

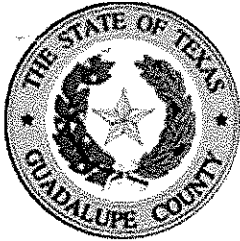
Due to the issues cited in this letter, the requestors respectfully request reconsideration of the Executive Director's preliminary decision, approving the Gram Vikas application "as is" without addressing the deficiencies noted, including more conclusive study of the standards used and the conditions imposed on the applicant.

Respectfully submitted

Tristan "Tris" Castaneda, Jr
Partner
Longbow Partners
502 West 13th Street
Austin, Texas 78701

(O) 512.320.9933
tcastaneda@longbow-partners.com
www.longbowpartners.com





WQ
1245574
DREW ENGELKE

GUADALUPE COUNTY COMMISSIONER, PRECINCT 2

101 EAST COURT STREET
SEGUIN, TEXAS 78155

EMAIL: DREW.ENGELKE@CO.GUADALUPE.TX.US

OFFICE: (830)303-8857 EXT. 2

FAX: (830) 303-4064

Laurie Gharis, Chief Clerk
TCEQ, MC-105
PO Box 13087
Austin, TX 78711-3087

REVIEWED

SEP 19 2022

RFR

By GCW

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2022 SEP 19 AM 10:28
CHIEF CLERKS OFFICE

RE: REQUEST RECONSIDERATION OF THE EXECUTIVE DIRECTOR'S DECISION - Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0015990001

16 September 2022

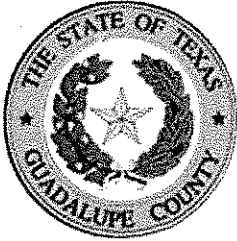
To whom it may concern,

I am writing to request reconsideration of the approval to the application from Gram Vikas Partners, Inc., who has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0015990001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 200,000 gallons per day.

The facility will be located approximately 0.3 mile south-southeast of the intersection of Farm-to-Market Road 1101 and Watson Lane, in Comal County, Texas 78130. The treated effluent will be discharged to Mesquite Creek, thence to York Creek, thence to the Lower San Marcos River in Segment No. 1808 of the Guadalupe River Basin.

In my examination of the Executive Director's **Response to Public Comment, Comment 2:** (in portion) states concerns of aquatic and terrestrial wildlife, cattle, and drinking/feeding waters for terrestrial wildlife and cattle. *Response: The TSWQ found in 30 TAC Chapter 307 require that discharges **MAY** (not SHALL) not degrade the receiving waters and **MAY** (not SHALL) not result in situations that impair existing, attainable, or designated uses, and that surface waters not be toxic to aquatic life, terrestrial wildlife, livestock or domestic animals. The differences of these two words is extraordinary. In the context of government wording, the word "**MAY**" *creates discretionary authority or grants permission*, as to the word "**SHALL**" *imposes a duty*.

The difference I see between these two words is you seem to be allowing the applicant to decide if he is going to follow the TSWQ standards in 30 TAC Chapter 307. If they choose NOT to follow these standards, there isn't anything that can or will be done as a result of potentially harming the surrounding environment and natural aquatic, terrestrial wildlife, cattle



(which in these cases are the livelihood of those making the concerns). It doesn't stop with just these concerns that are listed in the 23 pages of your comments. Everything "runs downhill" when dealing with the unnatural discharge of treated domestic wastewater.

In the Executive Director's Response to Comment 36, it states: Under Monitoring and Reporting Requirement No. 1, the Applicant must submit their effluent test results to TCEQ each month. If an unauthorized discharge that endangers human health or the environment occurs, the Applicant is required to report to TCEQ within 24 hours under Monitoring and Reporting Requirement No.7. This must be followed up by a written report within 5 working days that includes a description of the potential danger to human health and the environment, the timeframe for when the problem will be corrected, and the steps the Applicant will take to mitigate any damage and prevent this type of problem from reoccurring. Failure to comply with TCEQ rules or the permit may subject the Applicant to enforcement action.

In the past, my office has personally seen offenses that were witnessed and reported, with documentation, by residents near a similar facility to the TCEQ and it took months and contact from our office before TCEQ reviewed and penalized the offender. I am hesitant to think any "money making" facility, dealing with these hazardous materials and not being concerned about the environment and lives they are endangering, be it plant, mineral or animal, will take the necessary precautions to provide a safe for this WASTEWATER DISPOSAL PLANT.

Another concern of mine is the long-term maintenance and responsibility of the wastewater treatment facility. The long-term plan is not clear and of concern to me.

Permit No. WQ0015990001

Name: Gram Vikas Partners, Inc.

**Primary Business: TREAT AND DISPOSE DOMESTIC WASTEWATER FROM
PROP SU**

Business Address: 215 West Bandera Road, #114-474, Boerne, TX 78006

I respectfully request Reconsideration of the Executive Director's decision above mentioned wastewater treatment permit and deny the permit for consideration due to the long-term environmental effects to the area in north Guadalupe County.

Respectfully,


Drew Engelke



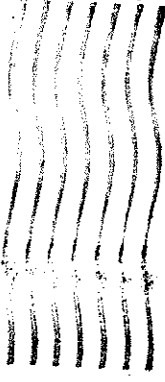
TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2022 SEP 19 AM

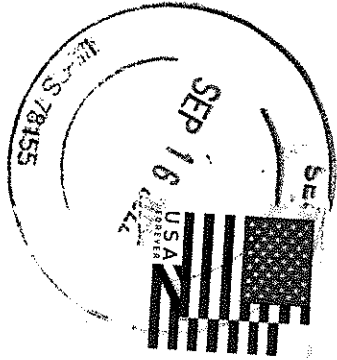
CHIEF CLERKS OF

DREW ENGELKE
GUADALUPE COUNTY COMMISSIONER, PRECINCT 2
GUADALUPE COUNTY COURTHOUSE
101 EAST COURT STREET
SEGUIN, TEXAS 78155

2109 4906311292



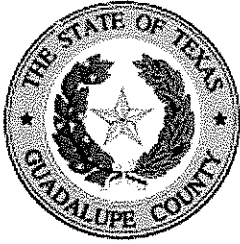
Laurie Charis, Chief Clerk
TCEO, MC-105
PO Box 13087
Austin, TX 78711-3087



RECEIVED

SEP 19 2022

TCEO MAIL CENTER
BC



DREW ENGELKE

GUADALUPE COUNTY COMMISSIONER, PRECINCT 2

101 EAST COURT STREET
SEGUIN, TEXAS 78155

EMAIL: DREW.ENGELKE@CO.GUADALUPE.TX.US

OFFICE: (830)303-8857 EXT. 2

FAX: (830) 303-4064

REVIEWED

TCEQ
PO Box 13087
Austin, TX 78711-3087

MAR 29 2022
By GCW

MWD
124554

RE: Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0015990001

18 March 2022

To whom it may concern,

I am writing in protest to an application from Gram Vikas Partners, Inc., who has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No, WQ0015990001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 200,000 gallons per day.

The facility will be located approximately 0.3 mile south-southeast of the intersection of Farm-to-Market Road 1101 and Watson Lane, in Comal County, Texas 78130. The treated effluent will be discharged to Mesquite Creek, thence to York Creek, thence to the Lower San Marcos River in Segment No. 1808 of the Guadalupe River Basin.

Permit No. WQ0015990001

Name: Gram Vikas Partners, Inc.

Primary Business: TREAT AND DISPOSE DOMESTIC WASTEWATER FROM PROP SU

Business Address: 215 West Bandera Road, #114-474, Boerne, TX 78006

I respectfully request that the wastewater treatment permit be denied for the consideration of the long-term environmental effects to the area in north Guadalupe County.

Respectfully,

Drew Engelke

RECEIVED

MAR 22 2022

WATER QUALITY DIVISION
TCEQ

2022 MAR 22 PM 2:27
OFFICE OF THE COMMISSIONER
GUADALUPE COUNTY, TEXAS

Texas Commission on Environmental Quality
INTEROFFICE MEMORANDUM

TO: Laurie Gharis, Chief Clerk

DATE: March 28, 2022

FROM: Abdur Rahim
Wastewater Permitting Section (MC-148)

SUBJECT: **ADDING A REQUEST FROM MR. DREW ENGEELKE,
GUADALUPE COUNTY COMMISSIONER TO DENY THE TPDES
PERMIT APPLICATION**
GRAM VIKAS PARTNERS, Inc., TPDES Permit No. WQ0015990001, EPA
ID No. TX0141283 (CN605577949; RN111257697)

Please include the attached request from Mr. Drew Engelke, Guadalupe County
Commissioner to deny the TPDES permit application. Please see attached letter with
USPS proof of receiving.

Thank you,



Abdur Rahim

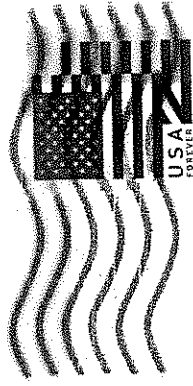
CHIEF CLERKS OFFICE

MAR 28 2022

MAR 28 2022



DREW ENGELKE
GUADALUPE COUNTY COMMISSIONER, PRECINCT 2
GUADALUPE COUNTY COURTHOUSE
101 EAST COURT STREET
SEGUIN, TEXAS 78155



SAN ANTONIO TX 780
RIO GRANDE DISTRICT
19 MAR 2022 PM 4 L

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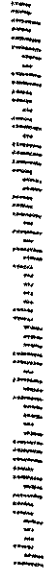
MAR 22 2022

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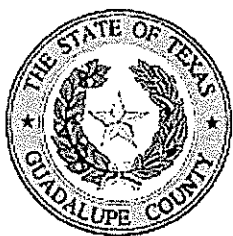
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

OFFICE OF THE CLERK
COUNTY CLERK
GUADALUPE COUNTY
2022 MAR 22 11 29 AM
SEGUIN TEXAS

FiPoJ



78711-308787



DREW ENGELKE

GUADALUPE COUNTY COMMISSIONER, PRECINCT 2

101 EAST COURT STREET

SEGUIN, TEXAS 78155

EMAIL: DREW.ENGELKE@CO.GUADALUPE.TX.US

OFFICE: (830)303-8857 EXT. 2

FAX: (830) 303-4064

TCEQ
PO Box 13087
Austin, TX 78711-3087

**RE: Texas Pollutant Discharge Elimination System (TPDES) Permit No.
WQ0015990001**

18 March 2022

To whom it may concern,

RECEIVED

JUN 07 2022

AT PUBLIC MEETING

I am writing in protest to an application from Gram Vikas Partners, Inc., who has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No, WQ0015990001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 200,000 gallons per day.

The facility will be located approximately 0.3 mile south-southeast of the intersection of Farm-to-Market Road 1101 and Watson Lane, in Comal County, Texas 78130. The treated effluent will be discharged to Mesquite Creek, thence to York Creek, thence to the Lower San Marcos River in Segment No. 1808 of the Guadalupe River Basin.

Permit No. WQ0015990001

Name: Gram Vikas Partners, Inc.

**Primary Business: TREAT AND DISPOSE DOMESTIC WASTEWATER FROM
PROP SU**

Business Address: 215 West Bandera Road, #114-474, Boerne, TX 78006

I respectfully request that the wastewater treatment permit be denied for the consideration of the long-term environmental effects to the area in north Guadalupe County.

Respectfully,

A handwritten signature in black ink, appearing to be "Drew Engelke".
Drew Engelke

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, December 28, 2021 9:33 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015990001

MWD
124554

PM
H

From: bop1701@yahoo.com <bop1701@yahoo.com>
Sent: Monday, December 27, 2021 2:53 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: Byron Evans

E-MAIL: bop1701@yahoo.com

COMPANY:

ADDRESS: 2225 WATSON LN E
NEW BRAUNFELS TX 78130-2623

PHONE: 8308327709

FAX:

COMMENTS: December 27, 2021 www14.tceq.texas.gov/epic/eComment/ TCEQ Office of the Chief Clerk MC-105 P.O. Box 13087 Austin, TX 78711-3087 Re: Texas Pollutant Discharge Elimination System Permit #WQ0015990001, Comal County Sirs: This email is to request a public meeting concerning the effects of the proposed Pollutant Discharge Elimination System Permit #WQ0015990001 on adjacent and nearby landowners, their property, livestock and animals,

and to inform other concerned citizens. This area is mostly farmland with some wooded sections, and has a wide variety of wild animals as well as cattle. The large amount of wastewater that is proposed to be dumped into the Mequite Creek can directly affect them all. In addition, there are numerous ponds to water livestock, and any flooding of the creek could cause these ponds to be contaminated by the wastewater. These ponds are usually the only source of water for the livestock, and any contamination could cause their sickness and death, or possibly to have to be destroyed. In addition to the potential damage to the immediate area, these damaging effects could impact areas a considerable distance downstream and gradient. We have had two '500 year' floods in my lifetime here, and there have been numerous other times when heavy rainfall has flooded fields and low areas in the area. Rivers and creeks overflow and flood fields all over the area. If this flooding is accompanied by wastewater pollution, this could affect crops as well as grazing animals. There are many questions about this project, and besides the potential environmental damage, how are property owners to be compensated for clearly foreseeable economic impacts? Again, I request a public hearing on this matter and this permit. Byron Evans 830 832-7709

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, January 4, 2022 9:39 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015990001

H

From: patrick.flint@att.net <patrick.flint@att.net>
Sent: Monday, January 3, 2022 3:37 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: Patrick Flint

E-MAIL: patrick.flint@att.net

COMPANY:

ADDRESS: 2505 STETSON
NEW BRAUNFELS TX 78130-0209

PHONE: 5123177700

FAX:

COMMENTS: If possible I would like to attend a public hearing on this matter of the water treatment facility

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, January 4, 2022 9:44 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015990001

From: patrick.flint@att.net <patrick.flint@att.net>
Sent: Monday, January 3, 2022 12:43 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: MR Patrick Flint

E-MAIL: patrick.flint@att.net

COMPANY:

ADDRESS: 2505 STETSON
NEW BRAUNFELS TX 78130-0209

PHONE: 5123177700

FAX:

COMMENTS: I am very concerned about the environmental impact of the proposed water treatment facility. Additionally, the proposed water treatment facility appears to be right next to our property line. I understand the area is going to be developed, the placement of the treatment center and how the developer protects the community is what we need TECQ to consider. This community Mesquite Ranch was here first. We are counting on you to protect us.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, January 4, 2022 9:29 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015990001

H

From: mykey1960@aol.com <mykey1960@aol.com>
Sent: Monday, January 3, 2022 4:22 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: Michael Lingsjo

E-MAIL: mykey1960@aol.com

COMPANY:

ADDRESS: 2549 STETSON
NEW BRAUNFELS TX 78130-0209

PHONE: 9562456505

FAX:

COMMENTS: I am requesting a public hearing on this matter...

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, January 4, 2022 9:42 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015990001

From: mykey1960@aol.com <mykey1960@aol.com>
Sent: Monday, January 3, 2022 1:03 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: Michael Lingsjo

E-MAIL: mykey1960@aol.com

COMPANY:

ADDRESS: 2549 STETSON
NEW BRAUNFELS TX 78130-0209

PHONE: 9562456505

FAX:

COMMENTS: I am a resident along with my wife here at Mesquite Ranch subdivision in New Braunfels. We all just got word that there is a waste water treatment plant in the works to go up basically in our back yard. I have built these for many years and know what that means. Our quality of life along with everyone out here will suffer if that happens. Not to mention that the property values will drop considerably. Most of us sold our homes in town to move out here for

peace, quiet, fresh air and country views. This will change all of that. There will be smells, noise, lights and activity right behind our homes due to this plant. Please put yourselves in our place. Thank you, Michael Lingsjo

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, January 4, 2022 9:30 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015990001

H

From: rjo217@aol.com <rjo217@aol.com>
Sent: Monday, January 3, 2022 4:19 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: Rita Lingsjo

E-MAIL: rjo217@aol.com

COMPANY:

ADDRESS: 2549 STETSON
NEW BRAUNFELS TX 78130-0209

PHONE: 9562456545

FAX:

COMMENTS: I am requesting a public hearing on this matter...

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, January 4, 2022 9:44 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015990001

From: rjo217@aol.com <rjo217@aol.com>
Sent: Monday, January 3, 2022 12:47 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: Rita Lingensjo

E-MAIL: rjo217@aol.com

COMPANY:

ADDRESS: 2549 STETSON
NEW BRAUNFELS TX 78130-0209

PHONE: 9562456545

FAX:

COMMENTS: We bought our property in May 2021. The view was the selling point for us. Now we are sickened by the thought that there might be a waste water treatment plant literally at our back property line. Our grandkids play in our back yard all the time. We sit on our back porch and enjoy the clean air, silence and beautiful view along with our wonderful neighbors. This is going to lower our property values out here that range from \$200,000 to \$400,000. None of us have even lived here a year yet. My husband has built these plants from the ground up for 40 years and we know

what that will mean for us besides the unsightly view. There will be a smell, lights, noise and workers coming and going. When the winds blow like they do out here there will be over spray flying into our yards and on our kids, grandkids, pets, lawn furniture and whatever else we have on our property. Right now there are cows and wildlife that we enjoy on a daily basis out there and I know there is concern for flooding and toxins overflowing. Please consider the people who already live here and how this is going to totally disrupt our lives. Thank you, Rita Lingsjo

WQ
124554

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Monday, September 19, 2022 1:43 PM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WRPERM 13676

RFR

From: kfmonty@sbcglobal.net <kfmonty@sbcglobal.net>
Sent: Saturday, September 17, 2022 9:27 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13676

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: MRS Karen F. Montgomery

EMAIL: kfmonty@sbcglobal.net

COMPANY:

ADDRESS: 2536 STETSON
NEW BRAUNFELS TX 78130-0209

PHONE: 8178751974

FAX:

COMMENTS: I request a reconsideration of the executive director's decision regarding the permit of Gram Vikas to build a housing development abutting up to our homes and back yards at Mesquite Ranch in New Braunfels, TX. The waste water plant for this community will be placed in a position of not only a disgusting eyesore and deflation of our beautiful properties values, but one of constant fear of leaks exposing chemicals, smells and illness to ourselves as well as the animals(cattle, dogs, chickens, pets). The love of money has seemingly brought this builder a very hardened heart when

considering the quality of lives of others. There is absolutely no reason why, at the very least, the plant could not be placed on the opposite side of the intended location allowing us a little reprieve of its negative impact. The water run off from these homes also contributes to pollution of our surrounding area.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, January 4, 2022 9:28 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015990001

PM

From: Kfmonty@sbcglobal.net <Kfmonty@sbcglobal.net>
Sent: Monday, January 3, 2022 6:03 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: Karen Montgomery

E-MAIL: Kfmonty@sbcglobal.net

COMPANY:

ADDRESS: 2536 STETSON
NEW BRAUNFELS TX 78130-0209

PHONE: 8178751975

FAX:

COMMENTS: We would like to request a public meeting concerning the waste water sewage treatment plant. Thank you.
Karen Montgomery

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, June 3, 2022 1:12 PM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0015990001
Attachments: GEAA Comments GramVikas_NewBraunfelsTX_0603221.docx

MWD
124554

H

From: nathan@aquiferalliance.org <nathan@aquiferalliance.org>
Sent: Friday, June 3, 2022 12:49 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: Nathan Glavy

EMAIL: nathan@aquiferalliance.org

COMPANY: Greater Edwards Aquifer Alliance

ADDRESS: 1809 BLANCO RD
SAN ANTONIO TX 78212-2616

PHONE: 2193200149

FAX:

COMMENTS: Please see attached word document for full comments



Member Organizations

Alamo, Austin, and Lone Star chapters of the Sierra Club

Bexar Audubon Society

Austin, Bexar and Travis Green Parties

Bexar Grotto

Boerne Together

Bulverde Neighborhood Alliance

Bulverde Neighbors for Clean Water

Cibolo Center for Conservation

Citizens for the Protection of Cibolo Creek

Comal County Conservation Alliance

Environment Texas

First Universalist Unitarian Church of SA

Friends of Canyon Lake

Friends of Dry Comal Creek

Friends of Government Canyon

Fuerza Unida

Green Society of UTSA

Guadalupe River Road Alliance

Guardians of Lick Creek

Headwaters at Incarnate Word

Helotes Heritage Association

Hill Country Alliance

Kendall County Well Owners Association

Kinney County Ground Zero

Leon Springs Business Association

Native Plant Society of Texas – SA

Northwest Interstate Coalition of Neighborhoods

Pedernales River Alliance – Gillespie Co.

Preserve Castroville

Preserve Lake Dunlop Association

Preserve Our Hill Country Environment

RiverAid San Antonio

San Antonio Audubon Society

San Antonio Conservation Society

San Geronimo Valley Alliance

San Marcos Greenbelt Alliance

San Marcos River Foundation

Save Barton Creek Association

Save Our Springs Alliance

Scenic Loop/Boerne Stage Alliance

Securing a Future Environment

SEED Coalition

Signal Hill Area Alliance

Sisters of the Divine Providence

Solar San Antonio

Texas Cave Management Association

Trinity Edwards Spring Protection Assoc.

Water Aid – Texas State University

Wildlife Rescue & Rehabilitation

Wimberley Valley Watershed Association

June 3, 2022

Laurie Gharis, Chief Clerk
Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

Submitted electronically at https://www14.tceq.texas.gov/epic/eComment/

Re: Comments and Hearing Request Regarding Application of Gram Vikas Partners, Inc. for TPDES Permit No. WQ0015990001

Please accept the attached comments on behalf of the fifty-six member groups of the Greater Edwards Aquifer Alliance

1. Background. Gram Vikas Partners, Inc., 215 West Bandera Road, #114-474, Boerne, Texas, 78130, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0015990001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 200,000 gallons per day. The facility will be located approximately 0.3 miles south-southeast of the intersection of Farm-to-Market Road 1101 and Watson Lane, in Comal County, Texas 78130. The treated effluent will be discharged to Mesquite Creek, thence to York Creek, thence to the Lower San Marcos River in Segment No. 1808 of the Guadalupe River Basin.

2. Greater Edwards Aquifer Alliance (GEAA). GEAA submits the following comments on behalf of our fifty-six member organizations and requests a contested case hearing regarding this permit application. GEAA is a 501(c)(3) nonprofit organization that promotes effective broad-based advocacy for the protection and preservation of the Edwards Aquifer, its springs, watersheds, and the Texas Hill Country that sustains it. GEAA has multiple members who would be adversely affected by the proposed application of Gram Vikas Partners, Inc.

GEAA's members have serious concerns regarding the permit application and draft permit, and regarding the degradation to Mesquite Creek, York Creek, and the Lower San Marcos River that will likely occur with the discharge of treated sewage into these waterways. GEAA and its members' specific areas of concern are summarized in the following section of this letter.

3. Comments on the application. As noted in the Notice of Public Meeting, Notice of Application, and Preliminary Decision, the proposed discharge route is from the Mesquite Creek Wastewater Treatment Facility to Mesquite Creek, thence to York Creek, thence to the Lower San Marcos River. There are several areas of concern with the current application:

a. Implementation of Beneficial Reuse: As it stands today, the Gram Vikas Partners, Inc. draft TPDES permit does not include any capacity to conduct beneficial reuse. Accordingly, GEAA urges Gram Vikas Partners, Inc. to utilize a "One Water" approach for their wastewater treatment system, incorporating beneficial reuse of effluent, thereby eliminating the need to discharge effluent into Mesquite Creek. Gram Vikas also has the option to maximize the beneficial use of effluent by supplying the effluent to entities for use under Chapter 210 Beneficial Reuse Authorizations to the maximum extent reasonably feasible. In the event Gram Vikas Partners, Inc. is unable to reuse all of the wastewater generated, GEAA recommends that the remaining amounts be land applied, with Gram Vikas Partners, Inc. purchasing the necessary land for such and obtaining the requisite TLAP permit from TCEQ.

b. Disinfectant Method: The draft permit indicates that Gram Vikas, Partners, Inc. will be utilizing chlorine contact chambers as a means of disinfectant to further treat the effluent from the Mesquite Creek Wastewater Treatment Facility. We urge the disinfectant method be changed to an ultraviolet light disinfectant. Ultraviolet light disinfectant treatment requires less space and is a physical process (rather than a chemical process) that has no residual effect that could harm humans or aquatic life.

All forms of chlorine are highly corrosive and toxic, and chlorine residuals could cause negative impacts on aquatic life. Further, chlorine residuals are unstable in the presence of high concentrations of chlorine demanding materials (BOD). This would require wastewater with high BOD concentrations to be treated with high chlorine doses for adequate disinfection, increasing the likelihood of hazardous compounds such as trihalomethanes.

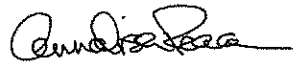
c. Water Quality and Quantity Impacts: The proposed effluent will flow from Mesquite Creek, thence to York Creek, thence to the Lower San Marcos River at a volume of 200,000 gallons per day. The river is a popular recreational spot year-round for snorkeling, fishing, swimming, tubing, and kayaking. Further, landowners have expressed concerns regarding the water quality impacts the Mesquite Creek Wastewater Treatment Facility's effluent would have on the watering ponds' livestock and wildlife use. Impacted landowners have noted that these ponds are the only sources of drinking water for nearby livestock and wildlife, increasing the likelihood of livestock and wildlife health concerns.

The TCEQ has previously stated that in evaluating wastewater permits, they consider baseline conditions in the receiving stream, the physical and the hydrological characteristics of the stream, waterbody uses, and the associated water quality standards that protect those uses. We recognize the TCEQ Standard Implementation Team implementing a limit of .50 mg/L effluent limit for total phosphorus (TP) and approve of this decision; bringing the effluent limitations for this draft permit to 5 mg/L carbonaceous biochemical oxygen demand (CBOD₅), 5 mg/L total suspended solids (TSS), 2 mg/L ammonia-nitrogen (NH₃-N), and .50mg/L total phosphorous (TP).

We trust that the TCEQ will consider the stated factors when implementing the Gram Vikas Partners, Inc. permit and will adopt standards that are in line with others in Central Texas.

Thank you for the opportunity to submit these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Annalisa Peace". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Annalisa Peace
Executive Director
Greater Edwards Aquifer Alliance

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, March 21, 2022 10:15 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015990001
Attachments: GEAA Comments GramVikas_NewBraunfelsTX_0317222.docx

MWD
124554

H

From: annalisa@aquiferalliance.org <annalisa@aquiferalliance.org>
Sent: Thursday, March 17, 2022 6:10 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: Annalisa Peace

E-MAIL: annalisa@aquiferalliance.org

COMPANY:

ADDRESS: 1809 BLANCO RD
SAN ANTONIO TX 78212-2616

PHONE: 2103200149

FAX:

COMMENTS: see attachment

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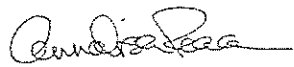
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Thank you for the opportunity to submit these comments.

Sincerely,

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Annalisa Peace
Executive Director
Greater Edwards Aquifer Alliance

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, March 21, 2022 4:20 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015990001
Attachments: Final TRPA Gram Vikas Mesquite Creek Comments 1.pdf

H

From: victoria@sosalliance.org <victoria@sosalliance.org>
Sent: Monday, March 21, 2022 4:08 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: Victoria Rose

E-MAIL: victoria@sosalliance.org

COMPANY: Save Our Springs Alliance

ADDRESS: 4701 W GATE BLVD Ste. D-401
AUSTIN TX 78745-1479

PHONE: 5124772320

FAX:

COMMENTS: Please find my comments on behalf of TRPA in the attached file.

Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087 – MC 105
Austin, Texas 787011 – 3087

March 21, 2022

Via: Online Submission Form

RE: Application and Draft Permit of Gram Vikas Partners, Inc., for Proposed TPDES Permit No. WQ0015990001

Dear Ms. Gharis:

These comments are submitted on behalf of Texas Rivers Protection Association (TRPA), regarding the Application and Draft Permit of Gram Vikas Partners, Inc., for proposed TPDES Permit No. WQ0015990001. TRPA also requests a contested case hearing on proposed TPDES Permit No. WQ0015990001.

Gram Vikas Partners, Inc. (“the Applicant”) has applied for a new discharge permit, proposed TPDES Permit No. WQ0015990001, to authorize wastewater discharge at a volume not to exceed 200,000 gallons per day. The Applicant proposed to construct a new wastewater treatment plant, Mesquite Creek Wastewater Treatment Facility, that will serve the Mesquite Creek Residential Development. The draft permit would allow the discharge of treated effluent into Mesquite Creek, thence to York Creek, thence to the Lower San Marcos River in Segment No. 1808 of the Guadalupe River Basin.

TRPA is a non-profit organization whose mission is to protect public access and preserve the flow, water quality, and natural beauty of the rivers of Texas, including the San Marcos and Guadalupe Rivers. TRPA sponsors river clean-ups, engages in public outreach and education to its members and the public concerning preservation of water quality of Texas rivers and streams, and participate in wastewater permitting cases.

TRPA has members who would otherwise have standing to request a hearing in their own right and whose participation would not otherwise be required. TRPA has members who own real property adjacent to the site of the proposed wastewater treatment plant and downstream of the discharge point. Among these is TRPA member Charles Pfluger, who owns real property adjacent to the site of the proposed wastewater treatment plant. This property is located at 6960 F.M. 1101, New Braunfels, Texas 78130 and 603 Schwarzlose Road, New Braunfels, Texas 78130. Mesquite Creek runs through the property and into a damless pond (“the Pond”) on the property.

Mr. Pfluger lives on this property, which has been in his family for several generations, with his wife Lindsay. Mr. Pfluger has enjoyed living on the property most of his life and has always been actively engaged with ranching operations on the property. Currently, Mr. Pfluger raises cattle to sell on the property, and Mesquite Creek and the Pond are the only source of water for one of his herds. Mr. Pfluger also stocks the Pond with large mouth bass for fishing and

uses the Pond for recreation. The algae, odor, harm to aquatic and terrestrial wildlife, flooding, and increased turbidity of the water from the proposed discharge would harm the economic and aesthetic interests of Mr. Pfluger. The quality of Mesquite Creek and the Pond and its value to Mr. Pfluger are illustrated in the photographs taken at Mr. Pfluger's property attached to the comments as Attachment I.

In these comments, TRPA highlights how the Application and Draft Permit for proposed TPDES Permit No. WQ0015990001 violate applicable TCEQ regulations:

- I. The Proposed Discharge Will Negatively Impact Surface Water and Groundwater Downstream of the Discharge.
- II. The Proposed Discharge is Not Protective of Aquatic or Terrestrial Wildlife.
- III. The Draft Permit, If Issued, Must Include More Stringent Pollutant Parameters and a Total Nitrogen Limit.
- IV. The Permit, If Issued, Should Include Provisions Requiring Re-Use of Effluent.
- V. The Draft Permit Will Interfere with Mr. Pfluger's Use and Enjoyment of His Property.
- VI. The Proposed Wastewater Treatment Facility Will Cause Odors and Other Impacts to Nearby Residents and Neighbors.
- VII. The Application Contains Inaccurate Information.
- VIII. The Applicant Has Not Demonstrated a Need for the Discharge Nor Compliance with the State's Regionalization Policy.

We elaborate on these and other deficiencies of the Application and Draft Permit for proposed TPDES Permit No. WQ0015990001 below.

I. The Proposed Discharge Will Negatively Impact Surface Water and Groundwater Downstream of the Discharge.

Elevated levels of Carbonaceous Biochemical Oxygen Demand (CBOD), Total Suspended Solids (TSS), nitrogen and phosphorus from treated wastewater causes increased algal growth, proliferation of cyanotoxins, and increased murkiness in water. U.S. ENVIRONMENTAL PROTECTION AGENCY, A COMPILATION OF COST DATA ASSOCIATED WITH THE IMPACTS AND CONTROL OF NUTRIENT POLLUTION (2015). TRPA and Mr. Pfluger are particularly concerned about the detrimental impacts associated with the increased phosphorus levels in the receiving waters allowed by the Draft Permit.¹ In turn, these impacts will harm the existing biological communities in the receiving waters, impair Mesquite Creek's and the Pond's agricultural, fishing, and contact recreation uses, and further downstream, impair the recreational use of the San Marcos River.

Mesquite Creek flows through Mr. Pfluger's property and into the Pond, both of which are used by Mr. Pfluger's cattle as a primary source of water. Additionally, Mr. Pfluger stocks the Pond with large mouth bass, an edible fish, for fishing. Use of Mesquite Creek and the Pond

¹ U.S. Environmental Protection Agency, *Indicators: Phosphorus*, (last visited Mar. 18, 2022) <https://www.epa.gov/national-aquatic-resource-surveys/indicators-phosphorus>; USGS, *Phosphorus and Water*, (last visited Mar. 18, 2022) <https://www.usgs.gov/special-topics/water-science-school/science/phosphorus-and-water>.

for agriculture and fishing will be impaired with increased nutrients, algae, and odors. Furthermore, when the nutrients from the proposed wastewater treatment plant discharge enter Mr. Pfluger's pond, the nutrients will stratify in the water column during periods of low or no flow and lead to a decrease in dissolved oxygen. Without better protections for water quality in the Draft Permit, Mr. Pfluger's cattle will likely become sick, the large mouth bass he stocks in the Pond will likely die due to eutrophication of the Pond, and Mr. Pfluger will no longer be able to use the Pond for contact recreation. TCEQ needs to consider the harmful impacts to agricultural uses, fishing uses, contact recreation uses, and aesthetic values that the Draft Permit will cause.

Further downstream from the discharge is the San Marcos River which currently supports active recreational use by thousands every day in summer, good fishing, and several water intakes for public and private water supplies. Use of the San Marcos River for fishing and recreation will be impaired with the increased nutrients, algae, odors, and spills that will occur if this permit is issued. Additionally, when the wastewater discharge enters Mr. Pfluger's Pond upstream, nutrients will naturally be stored in the Pond and flushed out during significant rain events. This would cause a harmful nutrient shock downstream of the pond, in the San Marcos River. Nutrients and suspended solids will also be flushed into the river at high rights during bypass rainfall events, leading to further degradation of water quality. TCEQ needs to consider these negative impacts to surface water quality and how they will affect landowners and the recreational and tourism economy dependent upon an attractive and safe San Marcos River.

In addition to the negative impacts on the surface water downstream of the discharge, there is the strong possibility that groundwater will be contaminated once the wastewater discharge reaches the San Marcos River, as the San Marcos River crosses alluvial aquifers and seeps underground through gravel. Should this occur, the wastewater discharge would introduce bacteria and nitrogen into public and private wells in the area, creating a public health risk.

TCEQ must consider the negative impacts that increased pollutants, including phosphorus, will have on the surface water and groundwater downstream of the wastewater discharge.

II. The Proposed Discharge is Not Protective of Aquatic or Terrestrial Wildlife.

The Draft Permit poses significant risk to aquatic and terrestrial wildlife. In addition to the risks associated with increased algal blooms and cyanotoxins, wildlife is also at risk from the impacts linked with excessive nitrate consumption. Isaza et al., *Living in Polluted Waters: A Meta-Analysis of the Effects of Nitrate and Interactions with Other Environmental Stressors on Freshwater Taxa*, 261 ENVIRONMENTAL POLLUTION 1 (2020). Moreover, the Draft Permit, if issued, should require the wastewater treatment plant to treat wastewater with UV disinfection as the chlorine disinfection authorized by the Draft Permit has been found to be toxic to wildlife. The risks posed to aquatic and terrestrial wildlife by the Draft Permit are significant, and TCEQ has failed to fully evaluate them.

For example, wildlife that utilizes Mesquite Creek and the Pond on Mr. Pfluger's property will be subjected to water containing a high level of nitrates and water that is choked

with algal growth. These species include whitetail deer, fish, quail, doves, geese, sandhill cranes, large mouth bass and other aquatic and terrestrial species. To avoid or minimize adverse impacts to the aquatic and terrestrial wildlife dependent on Mesquite Creek and the Pond, the Draft Permit, if issued, must include more stringent effluent requirements.

Further downstream, wildlife in the San Marcos River continues to require high-quality, clear water. Wildlife such as otters, fish, sensitive mussels, benthic creatures, and other invertebrates need clean water to survive and reproduce. Additionally, the Comal Springs Riffle Beetle, Texas Blind Salamander, San Marcos Salamander, and the Fountain Darter, all endangered species, can be found in the impacted segment of the San Marcos River and require high-quality clear water in order to recover. To avoid or minimize adverse impacts to the aquatic and terrestrial wildlife dependent on the San Marcos River, the Draft Permit, if issued, must include more stringent effluent requirements.

In light of the negative impacts that increased nutrients and other pollutants have on wildlife, the Draft Permit fails to protect aquatic and terrestrial wildlife from the impacts associated with highly polluted wastewater.

III. The Draft Permit, If Issued, Must Include More Stringent Pollutant Parameters and a Total Nitrogen Limit.

The Draft Permit, if issued, must include more stringent effluent limits on total phosphorus and must include a limit on total nitrogen to protect the quality of Mesquite Creek, the Pond, and the San Marcos River.

While the Draft Permit currently limits total phosphorus in the wastewater effluent to .5 mg/L, a lower limit should be imposed and can be achieved. Since the wastewater discharge will be into Mesquite Creek, a creek that frequently has zero base flow, there will be long periods of time where all of the influent into the Pond on Mr. Pfluger's property will be wastewater sewage containing high levels of phosphorus and other pollutants. The high levels of phosphorus in the Pond will likely cause algal blooms and produce cyanotoxins that will harm Mr. Pfluger's cattle, the large mouth bass Mr. Pfluger stocks in the pond, and the aesthetics of Mr. Pfluger's property. The wastewater effluent containing high levels of phosphorus will continue to negatively impact the ecosystem as it flows out of the Pond and travels to the San Marcos River, a waterbody already under tremendous pressure from development and pollution.

However, these negative impacts associated with phosphorus pollution need not come to fruition. In a 2007 report by the U.S. Environmental Protection Agency (EPA), the agency found that wastewater treatment plants are capable of treating wastewater to reduce total phosphorus levels below .5 mg/L. U.S. EPA, ADVANCED WASTEWATER TREATMENT TO ACHIEVE LOW CONCENTRATION OF PHOSPHORUS (2007). Moreover, the impacts from increased phosphorus can be eliminated altogether with the implementation of a zero-discharge system.

Additionally, a total nitrogen limit is needed to adequately protect against ecological and human health effects. Although the Draft Permit has a limit on ammonia nitrogen, studies show that this is not an effective surrogate for controlling other forms of nitrogen in wastewater,

including nitrates. Exposure to nitrates in humans can lead to a potentially fatal condition in infants known as blue baby syndrome, and exposure to nitrates in cattle can lead to nitrate toxicity. Moreover, the EPA has set maximum contaminant levels for nitrates in drinking water at 10 mg/L. Although potable water suppliers are responsible for treating drinking water to the applicable standards, recreational users of Mesquite Creek, the Pond and the San Marcos River may ingest raw water unintentionally or humans might be exposed by drinking water from groundwater wells drawn from alluvial aquifers. Additionally, Mr. Pfluger's cattle (and stocked bass) will be exposed to nitrates in the wastewater effluent, as a primary water source for the cattle is Mesquite Creek and the Pond on Mr. Pfluger's property.

Since the devastating impacts of phosphorus enrichment and nitrogen pollution can be mitigated through more stringent, yet achievable, standards or by using a zero-discharge system, the Draft Permit, if issued, must include a more stringent phosphorus limit and impose a limit on total nitrogen or instead required the use of a zero-discharge system.

IV. The Permit, If Issued, Should Include Provisions Requiring Re-Use of Effluent.

Setting more stringent treatment standards would support the inclusion of a re-use provision in the Draft Permit. The higher quality treated wastewater can be sold for irrigation or industry, making it a valuable commodity for Gram Vikas Partners, Inc. For example, groundwater can also be reused in landscape irrigation, gray water systems, and cooling towers, and presents a much better option than groundwater. There are many other uses for good quality treated wastewater and water prices are skyrocketing, making it difficult to meet the growing demand for treated wastewater.

In addition to the economic benefits for Gram Vikas Partners, Inc. that accompany reuse of wastewater, reuse could help to alleviate some of Mr. Pfluger's concerns regarding flooding of his property and help to protect Mesquite Creek and the San Marcos River from excess nutrients in the wastewater and the resulting algae proliferation. Having good quality wastewater, a small lake for storing some of it, and a re-use provision in the Draft Permit, if issued, will make treated wastewater a valuable commodity for Gram Vikas Partners, Inc. while also helping to protect those downstream of the wastewater treatment plant.

V. The Draft Permit Will Interfere with Mr. Pfluger's Use and Enjoyment of His Property.

The Draft Permit will interfere with Mr. Pfluger's use and enjoyment of his property as the permitted wastewater discharge would increase flooding and scouring on the property, essentially cut Mr. Pfluger's property in half, and, as discussed in previous sections, cause nuisance algal growth that will inhibit Mr. Pfluger's use of the Pond.

The Draft Permit does not address the flooding that will occur on Mr. Pfluger's property due to the amount of wastewater effluent being discharged. Mesquite Creek is shallow, narrow, and prone to flooding; furthermore, several retention and detention ponds already regularly discharge water into Mesquite Creek upstream and downstream of the proposed outfall Mr. Pfluger's property causing flooding on Mr. Pfluger's property, even without the addition of

wastewater from the proposed wastewater facility. Additionally, TCEQ has approved WQ 0015978001 which would allow additional wastewater to be discharged into Mesquite Creek upstream of Mr. Pfluger's property. With the flooding that already occurs on Mr. Pfluger's property, approval of the Draft Permit, as is, will exacerbate the problem, causing severe erosion, killing permanent grasses, and damaging his fences and land.

Relatedly, the discharge will result in increased scouring of Mr. Pfluger's property which will result in an increase in Total Suspended Solids downstream. This can lead to water quality degradation in the pond and further downstream.

In addition to the other risks posed by the wastewater discharge, the wastewater discharge will cause Mesquite Creek, a typically dry creek, to be continuously wet and unsafe to cross. Since Mesquite Creek runs through the middle of Mr. Pfluger's property, this will essentially cut his property in half and restrict access to his cattle and land that has been in his family for generations.

TCEQ needs to consider the impacts of the Draft Permit on landowners like Mr. Pfluger and the severe damage that the Draft Permit will cause to their property.

VI. The Proposed Wastewater Treatment Facility Will Cause Odors and Other Impacts to Nearby Residents and Neighbors.

The Applicant has not shown that the facility will adequately protect against nuisance odors. In addition to odors from the operation of the wastewater plant operation, the nutrients from the wastewater effluent will cause the receiving waters to be choked with odor-causing algae, especially in the warmer months, since there is little shade along the small tributaries, such as Mesquite Creek, which will at times be mostly or totally wastewater. The odors from the algae will harm the adjacent landowners' ability to use and enjoy their property and violates TCEQ's water quality standards regarding aesthetic parameters. 30 T.A.C. § 307.4.

VII. The Application Contains Inaccurate Information.

The Application is deficient and contains several inaccuracies; most significantly, the Application fails to identify and address the Pond on Mr. Pfluger's property and stated that the receiving waters are of limited aquatic life. However, the Pond on Mr. Pfluger's property is an important feature, is a primary source of water for Mr. Pfluger's cattle, has, at a minimum, intermediate aquatic life use, including the large mouth bass stocked by Mr. Pfluger, and is used for recreation. As such, TCEQ should have conducted a Tier 2 antidegradation review per 30 T.A.C. § 307.5(b)(2) and followed the procedures set out at 30 T.A.C. § 307.5(c).

The Application contains other significant inaccuracies. In Section 4 of the Application, when asked for "Description of Immediate Receiving Waters, the Applicant stated that the receiving waters were a man-made channel or ditch. However, Mesquite Creek is neither. Furthermore, on page 30 of the Application, Applicant should have identified the Pond on Mr. Pfluger's property as a "Downstream Characteristic." Additionally, in Section 5 of the Application, the Applicant failed to identify all of the "Upstream Influences" including a

retention pond discharge point, the Soil Conservation Soil Site 4 Reservoir, and an additional retention pond further upstream. Also, in Section 5, the Applicant failed to identify applicable "Waterbody Uses." The Applicant should have identified that waterbody uses include livestock watering, fishing, and non-contact recreation.

All of these deficiencies and inaccuracies render the Application's data incorrect, and the Statement of Basis/Technical Summary and Executive Director's Preliminary Decision on the Permit are similarly incorrect since they were based on the incorrect data provided by the Applicant. The Draft Permit cannot be issued without first correcting these issues.

VIII. The Applicant Has Not Demonstrated a Need for the Discharge Nor Compliance with the State's Regionalization Policy.

State policy encourages and promotes the development and use of regional and area-wide waste collection, treatment, and disposal systems to prevent pollution and maintain and enhance the quality of water in the state. Tex. Water Code § 26.801(a). When considering whether to issue a discharge permit, TCEQ must consider the need for the permit and the availability of existing or proposed regional waste collection, treatment, and disposal systems. The Applicant here did not show why Gram Vikas Partners, Inc. needs its own permit and cannot tie into existing wastewater treatment infrastructure.

For the above reasons, TRPA opposes proposed TPDES Permit No. WQ0015990001 and asks that the Application be denied. However, TRPA believes that a zero-discharge system would alleviate many of the issues mentioned in the previous sections. A zero-discharge system would allow the treated wastewater to stay on the site of the development to be put to beneficial use for the subdivision, including, reuse, landscape irrigation, potential dual piped systems to homes, and other beneficial uses.

Thank you for considering TRPA's comments and for holding a public meeting to allow the impacted community to learn more and express their concerns about the Draft Permit.

Sincerely,

Victoria Rose
Staff Attorney
Save Our Springs Alliance
4701 Westgate Blvd.
Bldg. D, Ste. 401
Austin, Texas 78745
Tel.: 512-477-2320, ext. 6
victoria@sosalliance.org

David Price, P.E.
President
Texas Rivers Protection Association
444 Pecan Park Drive
San Marcos, Texas 78666
Tel.: 512-698-7676
president@txrivers.org

ATTACHMENT 1

**Comments of Texas Rivers Protection Association on the Application and Draft Permit of
Gram Vikas Partners, Inc., for proposed TPDES Permit No. WQ0015990001**

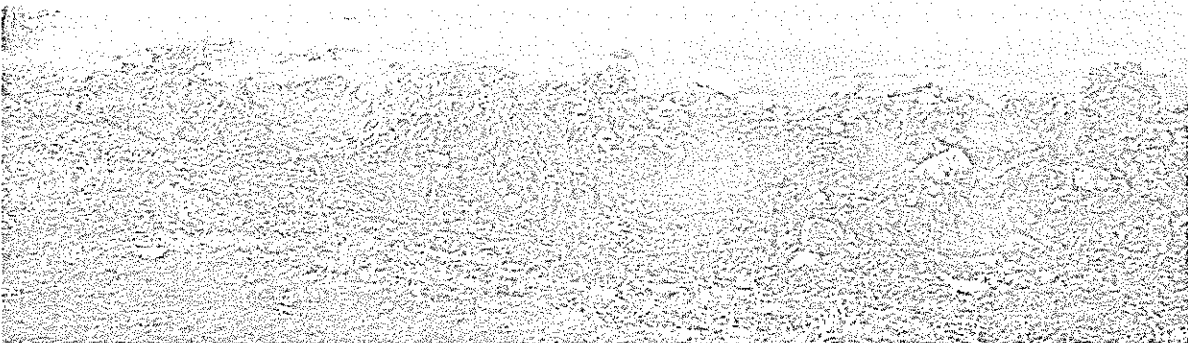
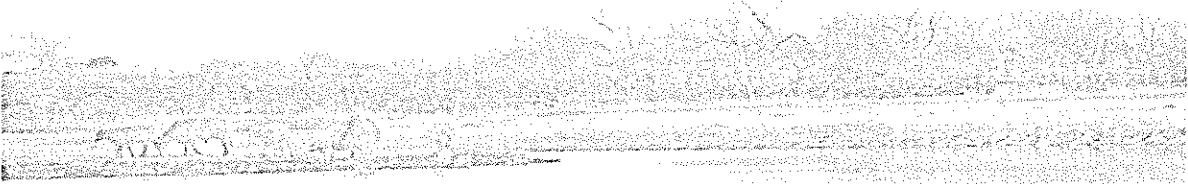


Photo 1: This photo depicts the damless pond (“the Pond”) within Mesquite Creek located on Mr. Pfluger’s property. The Pond is clear year-round with very little algae or moss growth. The top of the photo shows where Mesquite Creek enters the Pond. Mesquite Creek is dry and only flows during times of considerable rainfall.



Photo 2: This photo depicts some of Mr. Pfluger's cattle and the cattle's use of the Pond as a primary source for water. In addition to using the Pond to water his livestock, Mr. Pfluger also stocks the Pond with large mouth bass for fishing.

WQ
124554

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Tuesday, June 7, 2022 10:29 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0015990001
Attachments: Wastewater TCEQ presentation_TRPA logo1.pdf

From: dpaustex@gmail.com <dpaustex@gmail.com>
Sent: Tuesday, June 7, 2022 10:24 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: David PricePE

EMAIL: dpaustex@gmail.com

COMPANY: Texas Rivers Protection Association

ADDRESS: 444 PECAN PARK DR
SAN MARCOS TX 78666-8544

PHONE: 5126987676

FAX:

COMMENTS: Texas Rivers Protection Association (TRPA) is a non-profit organization that promotes the safety, water quality, public information, and other items related to water quality. The water quality of the San Marcos River will be ultimately degraded, due to discharges from the proposed WWTP. Phosphorous that will be discharged will impact receiving bodies of water immediately downstream. Within 1 mile of the proposed discharge, Mr. Charles Pfluger - who

is a member of TRPA - is a third generation rancher. As part of his operations, Mr. Pfluger has a large stock tank, that receives runoff of areas upstream. This area will now include the WWTP outfall from the proposed permit. The proposed flow of 200,000 gallons per day far exceeds the normal flow in this drainage collection area, and will flow directly into Mr. Pfluger's pond. Studies have shown (Drs. Ryan King and Jeffrey Back, Baylor University, Bioassessment of four Hill Country streams threatened by proposed municipal wastewater discharges, October 2020) that phosphorous and orthophosphate levels above 10 mg/Liter cause degradation of the waters. In the application, there is no pond shown. As such, TRPA believes the assessment made by the applicant is incorrect, as the impacts to receiving waters were never made. This is a material error on the application. Additionally, TRPA does not believe that manner in which any impact assessment is done, as the choking of waters by excess nutrients is well documented. This is in violation of the Clean Water Act. This also does not address requirements of 30TAC Chapter 217 permit application requirements on form TCEQ- 10053 (for pollutant analysis requirements). Under section 217.3 Purpose, the TAC states the statute is "intended to promote the design of facilities in accordance with good public health and water quality engineering practices...", and "a design must protect the public health and meet water quality standards established by the Commission". Under subparagraph b(1), of the section, all treatment facilities must be installed, operated, and maintained "(1) to ensure the safety of the Public". This permit application does not adequately address the very things in the State Code. TRPA believes the preliminary permit parameters do NOT comply with the limits or intent specified in the State Code, and requirements of the Federal Clean Water Act. TRPA respectfully requests that TCEQ direct the applicant to consider a zero-discharge permit, and reuse the effluent for beneficial use. Per the presentation to the TCEQ Commissioners in May, 2022, the use of drip-irrigation (or other land-application systems) conserves a precious resource. It is also cost-effective. Please see the attached report, done by David Price, PE, a wastewater design-build engineer/contractor.



444 Pecan Park Drive
San Marcos, TX 78666
www.TxRivers.org

Wastewater Design/Costs Related to River Discharges vs. Zero Discharge – A Comparison and Recommendations

By David Price, P.E. Texas Registered Professional Engineer No. 66362
Owner, Texas Onsite (DPrice@TexasOnsite.com)
President, Texas Rivers Protection Association (www.TxRivers.org)



Seal authorized 5/20/22 by David Price, PE
Reg 66362 Firm F-5636

Presented to TCEQ Commissioners

May 23, 2022

Summary of Report Recommendations:

1. Set meaningful phosphorous limits for all discharge permits.
2. Recommend discharge limits for phosphorous not be allowed to exceed existing background limits on all of the existing “iconic” Hill Country Rivers and Streams.
3. In the alternative to existing limits on rivers/streams in item (2), set limitation at 0.08 mg/liter for any effluent.
4. For Nitrogen limits, they should not be allowed to exceed background levels of the existing watercourse.
5. In the alternative to discharge, allow for expedited approval of zero-discharge systems, with existing limitations per Table 1 of 30 TAC §309.4.
6. Systems discharging into dry tributaries should not exceed phosphorous limits of 0.06 mg/L, and have nitrogen removed to background levels of pristine stream/river at confluence point of discharge.

Texas is home to tens of thousands of miles of rivers and streams. These streams are the lifeblood of this state, offering water for commerce, drinking, recreation and natural habitat.

The population of Texas has continued to rapidly grow each year. Now home to almost 30 million people, the demand for goods, services, utilities, etc. continues to grow.

The demand for water is unique, in that it is something that can't be created or manufactured, such as electrical power. Texas “harvests” water from two main sources: surface waters, and underground aquifers.

The surface waters (i.e. lakes and reservoirs) are primarily fed from streams and rivers. The amount of chemical and biological items in these waters comes from runoff, and anything of significant volume which is fed into the surface waters. This generally is one item, being treated wastewater effluent discharges.

Wastewater is basically any water that has biological or chemical items that are not part of “clean water” standards. For domestic wastewater, the components that need to be treated are the biological organic loading components, as well as the associated chemical constituents.

If wastewater effluent is not treated to certain levels, several detrimental things can happen to the receiving watercourse. These include blue/green algae blooms (recently, in the City of Austin, animals

Wastewater Permit Recommendations

became sick and died, due to exposure to this algae); nuisance algae blooms which clog the rivers/streams (see South San Gabriel River issues); impacts to water quality (reference City of Austin turbidity issues, as well as city-wide boil water notice); reduction in dissolved oxygen levels; increased *e-coli* colonies, impacting recreation and potability; and other issues impacting water quality, recreation use, potability, and riparian health.

TCEQ, under the 30TAC Chapter 217 section, requires that to discharge wastewater, the effluent must meet a certain quality, for several parameters. Additionally, under Chapter 222, a worksheet is required to drip irrigation systems.

In the above scenarios, there is no limit on the amount of phosphorous that can be discharged. The only exception – in the entire State – is in regard to the Edwards Aquifer, as required under 30 TAC Chapter 213, Edwards Aquifer Rules.

In the Application for a 217 Permit (TCEQ – 10053), there is an extensive list of testing requirements for pollutant analysis requirements. On this list, phosphorous is not listed. Phosphorous, at the concentration of 0.1 mg/Liter has been shown to cause excess algae to grow in the water. This algae can choke off the waterway, to the point of rendering water-contact recreation not possible. Similarly, recreational fishing, paddling, and other water-related activities become impossible. The water starts the eutrophication process (organisms dying in the water, resulting in a putrid smell), leading to further issues.

TCEQ specifies, under §217.3 Purpose, that the purpose of the Statute is “intended to promote the design of facilities in accordance with good public health and water quality engineering practices...”, and “a design must protect the public health and meet water quality standards established by the Commission”. Under subparagraph b(1), of the section, all treatment facilities must be installed, operated, and maintained “(1) to ensure the safety of the Public”.

One of the major wastewater components that currently needs addressing in the statutes is the level of phosphorous in the effluent (as required under 30 TAC Chapter 309). Current, save for certain areas over the Edwards Aquifer, there are no limits. Levels of naturally occurring phosphorous in certain Hill Country streams generally do not exceed 0.06 mg/Liter. Studies have shown that levels that are approximately 0.1 mg/Liter give rise to excess algae growth. In certain streams/rivers (the South San Gabriel River, near Georgetown), the effluent is the primary source of water in the waterway. During periods of no rainfall, the effluent is the ONLY source of flow in the river. Deep pools that exist in the river bed (common in the “pool – drop” Hill Country rivers) became clogged with algae, and useless for swimming and/or fishing.

The effluent limitations for phosphorous only occur related to the Edwards Aquifer. Under 30 TAC Chapter 213 (c)(1), there are limitation upstream from the recharge zone (notably, the contributing zone is not included). These limitations are for CBOD₅ of 5 mg/L, 5 mg/L of Total Suspended Solids (TSS), 2 mg/Liter of ammonia nitrogen, and 1 mg/L of phosphorous. All of these are 30 day averages.

Please note, that under 30 TAC Chapter 213, the phosphorous limit is 1.0 mg/Liter, when studies have shown that 0.1 mg/L - one tenth of the allowable amount - cause detrimental algae blooms.

Wastewater Permit Recommendations

Other areas of the state not over the Edwards Aquifer recharge zone have no limitations on phosphorous. These areas are currently all receiving phosphorous that is far above the limits at which detrimental impacts occur to the water courses.

Domestic Wastewater permits have limitations on effluent quality, as specified in 30 TAC §309.4, Table Effluent Limitations for Domestic WWTPs, per the attached chart.

The limits are:

Set	Direct Discharge	30 Day Avg		7-day Avg		Daily Max		Single Grab		DO min
		BOD ₅	TSS	BOD ₅	TSS	BOD ₅	TSS	BOD ₅	TSS	
1	Secondary Trtmnt	20	20	30	30	45	45	65	65	2.0
2	Enhanced Sec Treat	10	15	15	25	25	40	35	60	4.0
3	Stabilization Ponds	30	90	45	--	70	--	100	--	4.0

Land Treatment/Application

4	Irrig/Subsurf Drip	20	20	30	30	45	45	65	65	--
5	Using Stabilization Pnd Irrigation (no Pub Exp)	30	90	45	--	70	--	100	--	--
6	Overland flow	--	----	----	--	--	--	100	--	--
7	ET Beds and LPD	--	--	--	--	--	--	100	--	--

Set	Enhanced	30 Day Avg		7-day Avg			Daily Max	Single Grab		
		CBOD ₅	TSS	NH ₃ -N	CBOD ₅	TSS		NH ₃ -N	CBOD ₅	TSS/NH ₃ -N
2N	Secondary w/Nitrification	10	15	3	15	25	6	25/40/10	35/60/15	4.0
2N1	Secondary w/Nitrification	10	15	2	15	25	5	25/40/10	35/60/15	4.0

Please note, in the effluent requirements, above, that there is no listing for phosphorous.

Phosphorous is the primary component in the effluent which causes algae blooms. Excess phosphorous also leads to depletion of dissolved oxygen in the water.

Dissolved oxygen (DO) levels in the water are important to aquatic life and benthic organisms. Levels below 5 to 6 mg/Liter are of concern (optimum health is achieved at 5 mg/L, or above <http://agrillife.org/fisheries2/files/2013/09/Dissolved-Oxygen-for-Fish-Production1.pdf>), with sustained

Wastewater Permit Recommendations

levels below 4 mg/L generally resulting in fish kills or other health issues. Increased phosphorous in water results in reduced DO limits, and increases in water eutrophication (<https://www.epa.gov/national-aquatic-resource-surveys/indicators-phosphorus#:~:text=Too%20much%20phosphorus%20can%20cause,oxygen%E2%80%93%20process%20called%20eutrophication>).

The Phosphorous Solution

With an abundance of data, phosphorous causes large problems in any body of water. TCEQ currently has no phosphorous limits outside of discharge points upstream of the Edwards Aquifer Recharge Zone, of which the limit is 1.0 mg/Liter of water. Studies have shown even this limit is at least Ten Times the limit at which harmful algae, and serious water degradation (and stench) occurs.

But what is the solution? No development? Are there other ways?

Wastewater Treatment Plants (WWTPs) have the ability to remove phosphorous from the effluent. One method of removing it involves using chemical removal (calcium, iron and aluminum salts), advanced biological treatment, or both. These processes can also remove excess nitrogen.

Zero-discharge permits are another solution, that also have other major benefits.

Depletion of water sources is one area in which zero-discharge has major benefits. Beneficial reuse of the treated effluent reduces the need for additional potable water sources that are currently used for landscaping, agriculture, graywater systems, and the like.

The economics are also important in zero-discharge systems. Historically, discharge permits are frequently contested by downstream owners/users of water courses of discharge points. Such situations can result in a drawn out process of permit approvals, often taking several years. In the alternative, very few contested case hearings have been brought for zero-discharge systems. For a land developer, time is money.

As a example, a project is to have a 200,000 gallons per day wastewater treatment system. With a discharge permit, the effluent quality has to be higher, which costs more to build and operate the plant. With zero discharge, the effluent quality can be lower, but there is the additional cost of the drip dispersal system.

The area required for a drip system, in the above scenario, is 2,000,000 sf (using an application rate of 0.10 gal/sf/day). This equates to a 1,000,000 lf of tubing, with associated headers, valves, etc.

Cost Comparison

Direct Discharge WWTP

Time from Permit submission to final construction:	4 years
Direct Cost	\$6,000,000
Land Cost (assuming 825 homes at 6 homes/acres = 138 acres @ \$80k)/acre	\$10,800,000

Wastewater Permit Recommendations

Zero Discharge WWTP w/ Drip Irrigation System

Time from Permit submission to final construction: 2 years
Plant Cost: \$5,500,000
Drip System cost: \$1,500,000

Time value of money

Zero Discharge:

Land : 10,800,000 for 2 years at 8% per year interest = \$12,597,120 (simple interest)

WWTP with drip irrigation (at end of year 2)= 7,000,000

Total \$19,597,120

Discharge

Hearings, attorneys, engineers = \$150,000

Land 10,800,000 for 4 yrs at 8% = \$14,693,280

WWTP (at end of year 4, so 2 years interest is not included in pricing) 6,000,000

Total \$20,843,280

In the above scenario, the additional time required to get a discharge permit results in significant additional costs, far beyond what a zero-discharge system would cost. This would also allow a developer to bring their lots to market over 2 years sooner. This would allow profits to be more quickly earned, and future earnings on those profits.

Recommendations

1. Set meaningful phosphorous limits for all discharge permits.
2. Recommend discharge limits for phosphorous not be allowed to exceed existing background limits on all of the existing "iconic" Hill Country Rivers and Streams.
3. In the alternative to existing limits on rivers/streams in item (2), set limitation at 0.08 mg/liter for any effluent.
4. For Nitrogen limits, they should not be allowed to exceed background levels of the existing watercourse.
5. In the alternative to discharge, allow for expedited approval of zero-discharge systems, with existing limitations per Table 1 of 30 TAC §309.4.
6. Systems discharging into dry tributaries should not exceed phosphorous limits of 0.06 mg/L, and have nitrogen removed to background levels of pristine stream/river at confluence point of discharge.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, March 22, 2022 9:16 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015990001

From: president@txrivers.org <president@txrivers.org>
Sent: Monday, March 21, 2022 8:21 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: David Price PE

E-MAIL: president@txrivers.org

COMPANY: Texas Rivers Protection Association

ADDRESS: 444 PECAN PARK DR
SAN MARCOS TX 78666-8544

PHONE: 5126987676

FAX:

COMMENTS: Please see attached EPA data on the harmful nature of effluent. Links are:<https://www.epa.gov/national-aquatic-resource-surveys/indicators-phosphorus> for other data, please accept the entire link:
<https://www.usgs.gov/special-topics/water-science-school/science/phosphorus-and-water>

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, March 22, 2022 9:14 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015990001

From: president@txrivers.org <president@txrivers.org>
Sent: Monday, March 21, 2022 7:12 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: MR David Price, PE

E-MAIL: president@txrivers.org

COMPANY: Texas Rivers Protection Association

ADDRESS: 444 PECAN PARK DR
SAN MARCOS TX 78666-8544

PHONE: 5126987676

FAX:

COMMENTS: Texas Rivers Protection Association objects (TRPA, www.TxRivers.org) to a discharge permit for the referenced project. Per our comments submitted by Victoria Rose, on behalf of of TRPA, we have a multitude of reasons that this permit is not the best manner in which to handle the effluent for this permit. Drip irrigation could have the effluent stay onsite for beneficial uses, and not impact any downstream property, or downstream water quality. The application is riddled with inaccuracies.

6

TCEQ Registration Form

June 7, 2022

Gram Vikas Partners, Inc.

Proposed TPDES Permit No. WQ0015990001

PLEASE PRINT

Name: Victoria Rose

Mailing Address: 4701 West Gate Blvd Suite D-401

Physical Address (if different): _____

City/State: Austin, TX Zip: 78745

This information is subject to public disclosure under the Texas Public Information Act

Email: Victoria@SOSalliance.org

Phone Number: (512) 477 2320

• Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

Please add me to the mailing list.

I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.

I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Wednesday, June 8, 2022 8:48 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0015990001
Attachments: FINAL Gram Vikas Cooments for June 7 Meeting.pdf

From: victoria@sosalliance.org <victoria@sosalliance.org>
Sent: Tuesday, June 7, 2022 3:06 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: Victoria Rose

EMAIL: victoria@sosalliance.org

COMPANY: Save Our Springs Alliance

ADDRESS: 4701 W GATE BLVD Ste. D-401
AUSTIN TX 78745-1479

PHONE: 5124772320

FAX:

COMMENTS: Please find comments on behalf of TRPA attached.

Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087 – MC 105
Austin, Texas 787011 – 3087

June 7, 2022

Via: Online Submission Form

RE: Application and Draft Permit of Gram Vikas Partners, Inc., for Proposed TPDES Permit No. WQ0015990001

Dear Ms. Gharis:

These comments are submitted on behalf of Texas Rivers Protection Association (TRPA), regarding the Application and Draft Permit of Gram Vikas Partners, Inc., for proposed TPDES Permit No. WQ0015990001 and in response to *Notice of Public Meeting for TPDES Permit for Municipal Wastewater New Permit No. WQ0015990001*.

Gram Vikas Partners, Inc. (“the Applicant”) has applied for a new discharge permit, proposed TPDES Permit No. WQ0015990001 (“the Draft Permit”), to authorize wastewater discharge at a volume not to exceed 200,000 gallons per day. The Applicant proposed to construct a new wastewater treatment plant, Mesquite Creek Wastewater Treatment Facility, that will serve the Mesquite Creek Residential Development. The Draft Permit would allow the discharge of treated effluent into Mesquite Creek, thence to York Creek, thence to the Lower San Marcos River in Segment No. 1808 of the Guadalupe River Basin. TCEQ conducted a Tier 1 antidegradation review and determined that the Draft Permit would not impair existing water quality. TCEQ also concluded that no Tier 2 antidegradation review was needed.

Despite TCEQ’s conclusion that the Draft Permit would not impair existing water quality, the high levels of nutrient pollution allowed in the Draft Permit, particularly phosphorus and nitrogen, will impair existing water quality and fail to protect existing uses. Based on the impacts of nutrient pollution discussed below, if the Draft Permit does not contain more stringent effluent limits on total phosphorus and a limit on total nitrogen, the Draft Permit will violate TCEQ’s antidegradation rules by failing to protect existing uses of the receiving waters, violate Texas Surface Water Quality Standards set out at 30 T.A.C. §307.4, harm aquatic and terrestrial wildlife, and impair adjacent and downstream landowners’ use and enjoyment of their property.

The receiving waters for the Draft Permit have many uses and are an important resource for those that live near them. Significantly, Mr. Charles Pfluger uses the pond on his property to water his livestock, for recreation, and for fishing. The pond and Mesquite Creek, which runs into the pond, are used by a variety of aquatic and terrestrial species including whitetail deer, fish, quail, doves, geese, sandhill cranes, and largemouth bass. Additionally, Segment 1808 of the San Marcos River currently supports active contact recreational use by thousands every day in summer, good fishing, and several water intakes for public and private water supplies. The San Marcos River is also utilized by aquatic and terrestrial wildlife such as otters, fish, sensitive mussels, and other important species.

The receiving waters for the Draft Permit are phosphorus limited, and phosphorus measurements in the receiving waters regularly measure below the level of detection of 50 µ/L.¹ Extensive research on nutrient pollution in nearby, similar rivers and creeks has demonstrated that adding even small amounts of phosphorus to these phosphorus limited streams will cause huge shifts in the biological, physical, and chemical integrity of the waterbody and lead to the proliferation of harmful algae.² The problems with nutrient pollution are compounded further by the low flow conditions of Mesquite Creek, the nature of the pond on Mr. Pfluger's property, and the nutrient loading already occurring in segment 1808 of the San Marcos River.

In light of the nuisance algae growth that will occur as a result of the Draft Permit, the Draft Permit will not meet the Tier 1 antidegradation standard which requires that "[e]xisting uses and water quality sufficient to protect those existing uses must be maintained." 30 T.A.C. §307.5(b)(1). The increased phosphorus pollution will cause nuisance algae growth which will in turn reduce dissolved oxygen levels, cause shifts in aquatic biological communities, cause fish kills, and render the water unsafe for contact recreation. For the same reasons just listed, the Draft Permit fails to comply with Texas Surface Water Quality Standards which state that "[n]utrients from permitted discharges or other controllable sources must not cause excessive growth of aquatic vegetation that impairs an existing, designated, presumed, or attainable use. 30 T.A.C. §307.4(e).

TCEQ should have conducted Tier 2 antidegradation analysis in addition to Tier 1 antidegradation analysis. TCEQ's Procedures to Implement the Texas Water Quality Standards document on page 61 states that the Tier 2 antidegradation analysis applies to water bodies that have a designated use of primary contact recreation and high aquatic life. Segment 1808 of the San Marcos River is designated as having primary contact recreation, high aquatic life use, and as being a primary source of drinking water. 30 T.A.C. §307.10 Appendix A. In addition to conducting Tier 2 antidegradation analysis on Segment 1808, TCEQ needs to perform a Tier 2 antidegradation analysis for the pond on Mr. Pfluger's property and require the Applicant to update any application materials that fail to acknowledge the existence of the pond and account for the pond in any necessary analyses.

For the above reasons, TRPA continues to oppose TPDES Permit No. WQ0015990001 and asks that the Application be denied. The Draft Permit will degrade water quality, cause a proliferation of nuisance algae, and disrupt the livelihoods of those living and working along the receiving waters. However, TRPA believes that a zero-discharge system would alleviate the issues related to nutrient pollution and degradation of water quality associated with the Draft Permit. A zero-discharge system would allow the treated wastewater to stay on the site of the development to be

¹ GBRA, Basin Summary <https://www.gbra.org/wp-content/uploads/2021/05/basinsummary-2018i.pdf>.

² Bioassessment of Four Hill Country Streams Threatened by Proposed Municipal Wastewater Discharges; PowerPoint Presentation on Nutrient Pollution in the Blanco River: https://wimberleywatershed.org/wp-content/uploads/2020/08/KingRS_BlancoCityCouncil_Public_Comment_Aug_2020.pdf; Presentation on Nutrient Pollution: <https://www.youtube.com/watch?v=abxeLoBTaLA>. These resources provide more general information on the impacts of phosphorus pollution: U.S. Environmental Protection Agency, *Indicators: Phosphorus*, <https://www.epa.gov/national-aquatic-resource-surveys/indicators-phosphorus>; USGS, *Phosphorus and Water*, <https://www.usgs.gov/special-topics/water-science-school/science/phosphorus-and-water>.

put to beneficial use for the subdivision, including, reuse, landscape irrigation, potential dual piped systems to homes, and other beneficial uses.

Thank you for considering TRPA's comments and for holding a public meeting to allow the impacted community to learn more and express their concerns about the Draft Permit.

Sincerely,

Victoria Rose
Staff Attorney
Save Our Springs Alliance
4701 Westgate Blvd.
Bldg. D, Suite 401
Austin, Texas 78745
Tel.: 512-477-2320, ext. 6
Fax: 512-477-6410
victoria@sosalliance.org

WQ
124554

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Thursday, September 15, 2022 8:27 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015990001
Attachments: York Creek1.docx

RFR

From: dcscottrn@gmail.com <dcscottrn@gmail.com>
Sent: Wednesday, September 14, 2022 4:00 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015990001

REGULATED ENTY NAME MESQUITE CREEK WWTP

RN NUMBER: RN111257697

PERMIT NUMBER: WQ0015990001

DOCKET NUMBER:

COUNTY: COMAL, GUADALUPE

PRINCIPAL NAME: GRAM VIKAS PARTNERS INC

CN NUMBER: CN605577949

FROM

NAME: Diane C Scott

EMAIL: dcscottrn@gmail.com

COMPANY:

ADDRESS: 8155 FM 1101
SEGUIN TX 78155-0425

PHONE: 8165478948

FAX:

COMMENTS: See attached document for reconsideration of executive director's decision.

Diane Scott
8155 FM 1101
Seguin, TX 78155
816-547-8948

Re: Reconsideration of executive director's decision Gram Vikas Partners Inc. TPDES Permit No. WQ0015990001

Laurie Gharis, Chief Clerk

I am writing to ask for reconsideration regarding the decision to allow the above-mentioned permit. While acknowledging that this agreement does not authorize the building of a water treatment plant, we understand that there will be a need for this in the future. This is where my concern begins.

The next step is to find a place to discharge treated wastewater. The proposal is to use York creek. This creek runs through my property and is in a flood zone. The flooding occurs every year and is a source of water for agricultural purposes, ie., grass and livestock.

Knowingly allowing treated wastewater to flood properties is not acceptable for humans, agricultural or wildlife purposes. Relative to the Texas Clean Rivers Program, the polluting of York Creek is also not consistent for impacted downstream rivers.

With this in mind, I respectfully ask for your reconsideration of this proposal. Accepting this permit is the first step to ruining yet another waterway which plagues Texas.

I thank you for your consideration.

Sincerely,

Diane Scott RN

WQ
124554

Thursday Sept. 15, 2023
WQ0015990001

James Seeger
8601 FM 1101
Seguin Tx 78155
P# 830-305-3898

REVIEWED

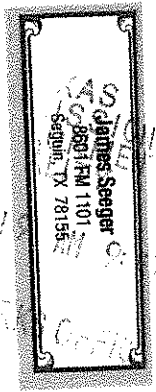
SEP 19 2022

By GeW RFR

TECHNICAL
2022 SEP 19 AM 11:37
ON ENVIRONMENTAL
COMMISSION

TECO Please do a reconsideration of this case. If granted people will have problems Gram Vikas partners plan to use Mesquite creek and Yorkcreek for water discharge. for two of there plants within 3 miles of each others Now add MAYFAIR Development across from the Comal Co. Dump. 2000+ acres after the dam fills it will be release 500,000 gal. per day will all this Mesquite creek + Yorkcreek will overflow and that's without rainfall Please Reconsider what will happen to people's life + land

James Seeger



ON
2022 SEP 1
CHIEF CLERK

SAN ANTONIO TX 780
RIO GRANDE DISTRICT
15 SEP 2022 PM 3 L

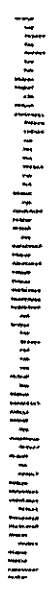
SEP 19 2022

TCEQ MAIL CENTER
DA



Laurie E Harris Chief Clerk
TC EQ MC - 105
PO Box 13087
Austin, Texas 78711-3087

78711-3087



⑨

TCEQ Registration Form

June 7, 2022

Gram Vikas Partners, Inc.
Proposed TPDES Permit No. WQ0015990001

PLEASE PRINT

Name: JAMES Seeger

Mailing Address: 8601 FM 1101 Seguin 78155

Physical Address (if different): _____

City/State: Seguin Zip: 78155

This information is subject to public disclosure under the Texas Public Information Act

Email: _____

Phone Number: (820) 305 3898

• Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

Please add me to the mailing list.

I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.

I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

3-21-2022 meeting

MWD
124554

Wastewater Permit WQ0015990001

830 305 3898

Mesquite Creek WWP RN111257697

REVIEWED

JAMES Seeger

8601 FM 1101

MAR 22 2022

By Gaw

Seguin TX 78155

questions

- 1) Will There be A Lab on site? for testing (sample times)
- 2) chlorine or UV light
- 3) Water pressure - to our houses with the amount of houses & A Treatment Plant. Plus the cost for new lines we should not incur in the future!!
- 4) ~~the~~ Treatment Plant, in flood zone Relief Pipe from Dam AND spillway (that area has been under water)
- 5) With more streets (asphalt) being put in the rise of watershed. + the 200000 gallons per day flowing into Mesquite Creek AND into Yorkcreek Plus rain will do damage to Peoples property on both creeks, erosion is something we don't need!!
- 6) Put septic ~~and~~ system in (fewer homes)!!
- 7) Why can you pump up to Alligator creek to NBW sewer main to be sent to there new sewer PLANT on Hwy 42. ???
- 8) Smells, Blower noise, Truck traffic to haul off the solids from the plant (thru your new subdivision) these trucks really stink.

3-21-2022 meeting

MWD
124554

Wastewater Permit WQ0015990001

830 305 3898

Mesquite Creek WWTP RN111257697

REVIEWED

JAMES SEEGER

8601 FM 1101

MAR 22 2022

SEGUIN TX 78155

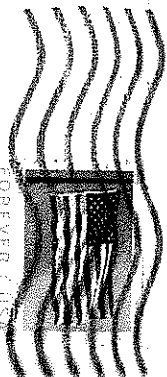
BY GAW

Questions

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James Seeger
8601 FM 1101
Seguin, TX 78155

SAN ANTONIO TX 780
RIO GRANDE DISTRICT
17 MAR 2022 PM 3 L

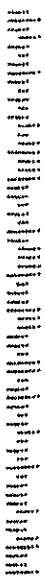


RECEIVED

MAR 21 2022

Office of the ^{Deputy} Chief Clerk
TCEQ
12100 Park 35 Circle Bldg F
Austin, TX 78753

78753-180800



OFFICE

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MAIL