Christina Bourque

From: PUBCOMMENT-OCC
Sent: Wednesday, February 28, 2024 5:21 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016303001

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

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From: chapambrose@gmail.com <chapambrose@gmail.com>
Sent: Tuesday, February 27, 2024 9:58 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016303001

REGULATED ENTY NAME CEDAR CREEK WWTP

RN NUMBER: RN111681797

PERMIT NUMBER: WQ0016303001

DOCKET NUMBER:

COUNTY: BASTROP

PRINCIPAL NAME: CEDAR CREEK MH LLC

CN NUMBER: CN606110708

NAME: MR Chapman Edward Ambrose, SR

EMAIL: chapambrose@gmail.com

COMPANY:

ADDRESS: 131 WALKER WATSON RD
BASTROP TX 78602-3170

PHONE: 2153595228

FAX:

COMMENTS: I am concerned about the impact of this treatment plant on the businesses and residences nearby. I eat at restaurants in the area and I'm concerned about odor. I am concerned about the flood plain in the area and how the facility will handle flooding that occurs in the area. I am concerned about the impact of the environment of 2 treatment facilities being built in close proximity and rapid succession.

Jennifer Cox

From:	PUBCOMMENT-OCC
Sent:	Wednesday, September 25, 2024 11:52 AM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject:	FW: Public comment on Permit Number WQ0016303001
Attachments:	IMG_1872.pdf

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

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From: adshir5@aol.com <adshir5@aol.com>
Sent: Tuesday, September 24, 2024 11:03 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016303001

REGULATED ENTY NAME CEDAR CREEK WWTP

RN NUMBER: RN111681797

PERMIT NUMBER: WQ0016303001

DOCKET NUMBER:

COUNTY: BASTROP

PRINCIPAL NAME: CEDAR CREEK MH LLC

CN NUMBER: CN606110708

NAME: Shirley Adams

EMAIL: adshir5@aol.com

COMPANY:

ADDRESS: 164 SALDANA DR
CEDAR CREEK TX 78612-3394

PHONE: 5123030964

FAX:

COMMENTS: I received the attached letter from the developer Roberts Communities & Resorts. They said that they filed a Chapter 210 Reuse Authorization with TCEQ. Does this affect the decision? Thank you.

ROBERTS
— COMMUNITIES & RESORTS —

Date: September 3, 2024

Cedar Creek MH, LLC
8507 Hidden West Blvd.
Austin, TX 78724

Re: Application for a new Texas Pollutant Discharge Elimination System (TPDES) Permit
By Cedar Creek MH, LLC
TPDES Permit No. WQ0016303001

To Whom It May Concern:

As you are aware, Cedar Creek MH, LLC has applied for a new TPDES permit to serve the proposed development at 2883 State Highway 71 in Bastrop County. You have indicated concern over the proposed discharge into an unnamed tributary located on Cedar Creek MH's property which will then flow to a Texas Department of Transportation (TXDOT) ditch before reaching Dry Creek.

Cedar Creek MH, LLC has heard your concerns, and in the spirit of being a good neighbor and addressing these concerns, has filed a Chapter 210 Reuse Authorization with the TCEQ. This authorization will allow Cedar Creek MH to store the wastewater effluent on-site in a large holding pond and reuse it on green spaces within the development. It is Cedar Creek MH, LLC's intention to use all of its effluent to the extent possible. Reuse is restricted during times of rain or freezing weather. A discharge would only occur if there was an extended time of rain or freezing and there was no more storage in the pond.

We hope that this solution is helpful in addressing your concerns and is indicative of Cedar Creek MH, LLC's desire to be a good neighbor in the community. Should you have any questions regarding the proposed reuse, please contact Shelley Young, P.E. at 281-373-0500 or by email at syoung@waterengineers.com

Regards,

16427 N. Scottsdale Rd., Suite 400, Scottsdale, AZ, 85254 Phone (480) 425-8696 Fax: (480) 425-8652

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Tuesday, February 27, 2024 10:33 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016303001

From: adshir5@aol.com <adshir5@aol.com>
Sent: Tuesday, February 27, 2024 9:33 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016303001

REGULATED ENTY NAME CEDAR CREEK WWTP

RN NUMBER: RN111681797

PERMIT NUMBER: WQ0016303001

DOCKET NUMBER:

COUNTY: BASTROP

PRINCIPAL NAME: CEDAR CREEK MH LLC

CN NUMBER: CN606110708

NAME: Shirley A Adams

EMAIL: adshir5@aol.com

COMPANY:

ADDRESS: 164 SALDANA DR
CEDAR CREEK TX 78612-3394

PHONE: 5123030964

FAX:

COMMENTS: I am against authorization of this permit. On January 30, 2024 when I went to the Bastrop Library to view the application I found 3 files. 2 did not have the documents I was looking for and I was not certain the 3rd file was complete. I am against the proposed location and wastewater going into the Colorado River.

(2)

TCEQ Registration Form

February 27, 2024

Cedar Creek MH, LLC
TPDES PERMIT FOR MUNICIPAL WASTEWATER
PERMIT NO. WQ0016303001

PLEASE PRINT

Name: Dale Cook

Mailing Address: 5461 Hwy 77 East Del Valle TX 78617

Physical Address (if different): _____

City/State: _____ **Zip:** _____

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

Email: dcbackhoe@AOL.Com

Phone Number: (512) 784-7096

- 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.

Renee Lyle

From: PUBCOMMENT-OCC
Sent: Wednesday, January 24, 2024 12:41 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016303001

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

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From: cook5547@outlook.com <cook5547@outlook.com>
Sent: Wednesday, January 24, 2024 11:52 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016303001

REGULATED ENTY NAME CEDAR CREEK WWTP

RN NUMBER: RN111681797

PERMIT NUMBER: WQ0016303001

DOCKET NUMBER:

COUNTY: BASTROP

PRINCIPAL NAME: CEDAR CREEK MH LLC

CN NUMBER: CN606110708

IAME: Van Cook

MAIL: cook5547@outlook.com

MPANY:

)RESS: 5547 HIGHWAY 71 E
VALLE TX 78617-3254

IE: 5127848540

COMMENTS: We would like to know the designated route of the discharge water and the direction that is going to dry creek. our concerns is the 150,000 gallons of water that will be going down our property when the new road is constructed. I have spoken to TXDot and they are concerned as well.

Renee Lyle

From: PUBCOMMENT-OCC
Sent: Tuesday, October 10, 2023 2:08 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016303001

From: cook5547@outlook.com <cook5547@outlook.com>
Sent: Monday, October 9, 2023 11:54 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016303001

REGULATED ENTY NAME CEDAR CREEK WWTP

RN NUMBER: RN111681797

PERMIT NUMBER: WQ0016303001

DOCKET NUMBER:

COUNTY: BASTROP

PRINCIPAL NAME: CEDAR CREEK MH LLC

CN NUMBER: CN606110708

NAME: Van L Cook

EMAIL: cook5547@outlook.com

COMPANY:

ADDRESS: 5547 HIGHWAY 71 E
DEL VALLE TX 78617-3254

PHONE: 5127848540

FAX:

COMMENTS: I would like to request the direction of flow of the sewer treatment plant and the direction for Dry Creek, where it enters, and a map of whether it is underground piping or running on top of the ground. We have cattle on the other side of 71 and have about a mile or a mile and a half of Dry Creek on our property that the cows drink from.

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Monday, February 26, 2024 11:57 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016303001

From: Kandice.Coppala@txdot.gov <Kandice.Coppala@txdot.gov>
Sent: Monday, February 26, 2024 11:00 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016303001

REGULATED ENTY NAME CEDAR CREEK WWTP

RN NUMBER: RN111681797

PERMIT NUMBER: WQ0016303001

DOCKET NUMBER:

COUNTY: BASTROP

PRINCIPAL NAME: CEDAR CREEK MH LLC

CN NUMBER: CN606110708

NAME: Kandice Coppala

EMAIL: Kandice.Coppala@txdot.gov

COMPANY: Texas Department of Transportation

ADDRESS: 7901 North IH35 Frontage Road
Austin TX 78753

PHONE: 5128327002

FAX:

COMMENTS: Regarding draft Permit No. WQ0016303001, TxDOT denies the request to discharge wastewater onto TxDOT's ROW. After a meeting with the TxDOT Austin District Engineer, the request was denied upon the following conclusions: 1) The discharge path runs parallel along SH 71 within TxDOT ROW through the drainage ditch. Currently, this ditch is typically dry with intermittent flow during rain events. With the added wastewater discharge, the roadside ditch would incur constant saturation with varying flow, resulting in possible negative impacts to the roadbed, jeopardizing roadway safety and increasing future maintenance and construction costs. 2) Other discharge options not located on TxDOT ROW exist for this WWTP. Although an exception can be made, Chapter 2, Section 8 of the "Use of

Right of Way by Others Manual" states, "...if a person making a request to discharge shows that there is no feasible and prudent alternative to the proposed discharge to department property." Given that "feasible and prudent" alternatives do exist for this wastewater discharge, TxDOT denies the request. If you have any questions, please feel free to contact me.

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Wednesday, February 28, 2024 5:21 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016303001
Attachments: LPGCD Comment Letter Cedar Creek MH LLC 2 27 20241.pdf

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

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From: mhenderson@gdhm.com <mhenderson@gdhm.com>
Sent: Tuesday, February 27, 2024 5:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016303001

REGULATED ENTY NAME CEDAR CREEK WWTP

RN NUMBER: RN111681797

PERMIT NUMBER: WQ0016303001

DOCKET NUMBER:

COUNTY: BASTROP

PRINCIPAL NAME: CEDAR CREEK MH LLC

CN NUMBER: CN606110708

NAME: Bobby Salehi

EMAIL: mhenderson@gdhm.com

COMPANY: Graves Dougherty Hearon & Moody

ADDRESS: 401 CONGRESS AVE Suite 2700
AUSTIN TX 78701-4071

PHONE: 5124805600

FAX:

COMMENTS: Thank you, Molly Henderson 512 480 5793

GRAVES
DOUGHERTY
HEARON &
MOODY

Bobby M. Salehi
512.480.5638
512.480.5838 (fax)
bsalehi@gdhm.com

MAILING ADDRESS:
P.O. Box 98
Austin, TX 78767-9998

February 27, 2024

Filed Electronically

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality
Office of Chief Clerk MC-105
P.O. Box 13087
Austin, Texas 78711-3087

RE: *Public Comments on Application by Cedar Creek MH, LLC ("Applicant" or "Cedar Creek MH"; Application for New Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016303001 ("Application")*

Dear Chief Clerk Gharis:

This public comment on the above-referenced pending Application is made on behalf of the Lost Pines Groundwater Conservation District ("District" or "Lost Pines GCD"). Following issuance of the Executive Director's ("ED") final decision and response to comments, the District reserves the right to request a contested case hearing on the Application on the issues raised in this comment.

The Application seeks to operate a new Wastewater Treatment Plant and dispose of the wastewater by discharging 150,000 gallons per day (gpd) into the Colorado River ("Request"). The location of this plant's discharge is in the District's jurisdiction in Bastrop County. As further explained below, wastewater discharge will have an adverse impact on groundwater resources regulated by and within the District and relied on by Bastrop County residents as a water supply.

The District is a groundwater conservation district created in 1999 pursuant to Chapter 8849, Special District Local Laws Code (enabling legislation) and confirmed by the voters within the District. The District has the powers, duties, authority, and responsibilities provided Chapter 36 of the Texas Water Code and by the District's enabling legislation. In addition to the Texas Commission on Environmental Quality ("TCEQ"), the District has authority over issues contemplated in the Application. The District was established for the purpose of providing for the conservation, preservation, protection, recharging, and prevention of waste of groundwater and of groundwater reservoirs within the District's boundaries, including the Colorado Alluvial Aquifer. Tex. Water Code § 36.0015.

The Colorado Alluvium Aquifer is a natural resource in the District. The Alluvium is a geologic unit or aquifer formation that yields significant quantities of groundwater to wells in

the District. Lost Pines Groundwater Conservation District Management Plan at p. 14. The Colorado Alluvium Aquifer includes alluvial deposits in river bottom land along the Colorado River and can be on one side of the river or on both sides. It generally consists of sand, with some small gravel and disconnected layers of silt and clay. The District's constituents rely on the Colorado Alluvium Aquifer for municipal, irrigation, and domestic purposes. As described below, in the same segment of Cedar Creek MH's discharge, the Colorado River exchanges water with the Colorado Alluvium Aquifer and at least 3 other aquifer formations.

Discharge from Cedar Creek MH's proposed new Permit No. WQ0016303001 may induce chemical changes in the water in the District's aquifers impacting groundwater quality, and have an adverse effect on the interests of the District and everyone using groundwater in the District. TCEQ has not vetted these significant implications of this Application.

Given the sensitive hydrogeologic site, and proximity to existing groundwater wells, the TCEQ Executive Director has not demonstrated that groundwater will be protected.

The discharge is in a unique and highly sensitive geologic segment of the river. The Colorado River exchanges water with Colorado Alluvial Aquifer and shallow portions of the Carrizo-Wilcox formation in Segment 1428 of the Colorado River Basin, where the Cedar Creek MH plant will discharge. The alluvium and outcrops of the Calvert Bluff Formation, Simsboro Formation, and the Hooper Formation all intersect in Segment 1428. It is inevitable that whatever goes into the river in this segment will make its way into the District's aquifers through one, if not all, of these 3 aquifer outcrops.

The District's hydrogeologist agrees. The Colorado River is an important hydrologic link between these major and minor Central Texas aquifers within the District. In a report prepared by well-published hydrogeologist and engineer Dr. Bill Hutchison, attached as **Exhibit A**, there is proof that surface water from the Colorado River in Bastrop County communicates with the aquifers in the District. Ex. A at p. 16. The report reveals flow losses in the Colorado River and those losses contribute to increases in the groundwater water table. These losses indicate that the Colorado River provides recharge to the aquifers in the same vicinity of the Cedar Creek MH discharge. Groundwater and surface water interaction or communication must be addressed by TCEQ.

Also compelling, the District's records demonstrate many registered wells pump groundwater from these impacted aquifers in Segment 1428. The Application fails to adequately contemplate impacts to local wells in the area, and has not demonstrated compliance with TCEQ's well rules located at 30 Texas Administrative Code § 290.41(c)(1)(B). The owners of these wells rely on groundwater for municipal, irrigation, and domestic purposes, and with this Application, well owners must be concerned about finding an alternative water supply.

In addition, these aquifers and the surface water feeding them serve as a primary water supply for many in the region. TCEQ's own documents acknowledge the significance of the Colorado River Segment No. 1428's designated use of "Domestic Water Supply Use."[1] The sensitive environment in this unique hydrogeologic setting, the regional dependence on groundwater for drinking water supply, and the known interaction between surface water and groundwater are extraordinary circumstances that will be affected by Cedar Creek MH's application. TCEQ may not issue a permit unless existing uses are maintained, and must prevent the degradation of waters, both surface water and groundwater.Because the Application fails to address the sensitivity of the discharge location (both for proximity to outcrops and nearby wells), arguably, it is incomplete. According to the TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (the "IPs"), the TCEQ must consider the sensitivity of a site when setting certain effluent parameters. Additional information must be submitted for the TCEQ to conduct additional screening in the IPs and to ensure the Cedar Creek MH discharge will not adversely impact groundwater quality.

Colorado River recharge that has impaired water quality or induces chemical changes[2] in water in the aquifers is inconsistent with the District's legislatively mandated mission of protecting the aquifers. The District's powers under Chapter 36 of the Texas Water Code and under its rules include, among other things, authority to prohibit persons from harmfully altering the character of groundwater by activities on the surface of the ground that will cause or allow pollutants or other deleterious matter to enter groundwater from the surface or recharge features. Tex. Water Code §§ 36.001, 36.101, and 36.102. The District has a statutory obligation to protect recharge quality under Texas Water Code Chapter 36.

Contamination of these aquifers is a very serious concern of both the District and its constituents. As such, the District's interest in the surface and groundwater resources is directly related to TCEQ's review and consideration of the Cedar Creek MH's TPDES permit application. The District insists on the most stringent effluent limits possible taking into consideration the sensitivity of the discharge on the underground aquifer formations in the area, and on the groundwater wells relied upon by so many in the District's jurisdiction.

The TCEQ Executive Director has not demonstrated that groundwater will be protected.

No analysis has been completed to demonstrate that the wastewater discharge will not percolate into the water table beneath and will be protective of groundwater. Given the

[1] 2022 Texas Integrated Report – Assessment Results for Basin 14 – Colorado River at 58, available here: https://www.tceq.texas.gov/downloads/water-quality/assessment/integrated-report-2022/2022-basin14.pdf.

[2] Due to the potential for geochemical reactions in the aquifers from the discharge pollutants with the sands, silts, gravels, clays, aquifer composition, etc. that is different from the reaction with the discharge pollutants and surface water, more analysis must be done above the standard TCEQ response: "If surface water is protected so it goes that groundwater is also protected." TCEQ's analysis must review chemical interactions of the discharge with the aquifer when evaluating groundwater protection.

sensitive hydrogeologic connection discussed above, percolation poses significant risks to the aquifers. The TCEQ must establish effluent limits that are protective of groundwater.

Cumulative impacts and regionalization are cause for concern.

Atlantis WKA Bastrop, LLC has applied to the TCEQ for a permit to discharge 300,000 gallons per day pursuant to the same TPDES program as Cedar Creek MH. The proposed Atlantis WKA Bastrop permit outfall is within 1.2 miles from the Cedar Creek facility location. Lost Pines is concerned that the proper regionalization requirements were not fulfilled on the Cedar Creek permit application. The City of Austin has an existing permit that allows for the discharge of 300,000 gallons per day that is around 3 miles away from the proposed facility that Cedar Creek can regionalize with. Finally, the City of Bastrop provides regional wastewater service in this area. In lieu of permitting another wastewater plant discharging into the same segment of the Colorado River, the District encourages the TCEQ ED to reexamine the Legislature's regionalization policy at Tex. Water Code § 26.081 to "encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the state and to prevent pollution and maintain and enhance the quality of the water in the state." Obtaining service from another provider is consistent with state law and TCEQ is charged with evaluating whether the requested Cedar Creek MH demand can be met by other existing or proposed regional providers.

Also, the cumulative impacts from these projects will compound the impacts to groundwater and the TCEQ has not demonstrated a thorough analysis of all combined discharges.

Additional monitoring is necessary to protect groundwater.

Additional monitoring of the Cedar Creek MH permit impacts to the Colorado Alluvial Aquifer and impacted aquifers would improve this permit significantly. Although some limited monitoring is included in the draft permit to know if permit effluent limits are met, it will not provide data on the discharge's impacts to groundwater quality. The District requests that the Draft Permit require a groundwater quality monitoring station at the discharge point to track how the effluent interacts with groundwater in those areas, and include an opportunity to reduce permit effluent limits as needed. Absent this additional monitoring, the Draft Permit provides no means to measure whether the effluent is protective of groundwater quality.

Inadequate Antidegradation Review.

Lost Pines GCD is concerned with the antidegradation review completed on the permit application. 30 Texas Administrative Code 307.5 in conjunction with section 26.003 of the Texas Water Code enumerate the antidegradation policy of the state of Commission. According to the application materials, only a Tier 1 antidegradation review was required for this application. Lost

Pines urges the Commission to reconsider this decision and reevaluate the entire application after completing a Tier 2 antidegradation review. A tier 1 review only "protects" water quality sufficient that existing uses are maintained. This low bar requirement concerns lost pines because of the potential impacts to water quality and to groundwater in the area. The application A tier 2 review should be completed on the Cedar Creek MH permit application to ensure that no degradation of water quality occurs due to the discharge. Only performing a tier 1 review on this application calls into serious question the efficacy of the resulting draft permit and whether it will protect water quality, fish and wildlife, and existing uses of the waters. All of which are of concern to Lost Pines GCD.

Compliance History and Operator Requirements.

Lost Pines GCD is concerned with the compliance history and operational ability of the applicant to safely maintain and operate the facility. According to TCEQ's compliance history database, Cedar Creek MH has a no compliance history rating and is currently classified as "unclassified." As such, Lost Pines is concerned with the ability of the applicant to safely operate the discharge facility. Given the discharge amount (150,000 gpd) requested, and the applicant's lack of demonstrated compliance, the draft permit should require that an operator with a Class A license to the facility. The sensitive Colorado Alluvial Aquifer and Carrizo-Wilcox formation in the nearby area exacerbates risk of potential harm and damage to Lost Pines constituents and drinking water supply from an unauthorized discharge from the facility, therefore a Class A operator should be required.

Governmental Authority.

Lost Pines GCD has statutory authority over and interest in the application in accordance with 30 TAC § 55.203, determination of affected person. As mentioned above, the District was established for the purpose of providing for the conservation, preservation, protection, recharging, and prevention of waste of groundwater and of groundwater reservoirs within the District's boundaries, including the Colorado Alluvial Aquifer. Tex. Water Code § 36.0015. The District's jurisdiction consists of Lee and Bastrop counties. According to application documents reviewed by Lost Pines, the proposed facility would be located in Bastrop county, within the District's jurisdictional boundaries. Therefore, as the entity charged by the legislature to protect water supply in Bastrop County, Lost Pines GCD has not only governmental statutory authority over the issues relevant to the application, but also a personal justiciable interest affected by the application in a manner not common to members of the general public.

Chapter 36 of the Texas water code provides the District with authority over water quality important to this application. Section 36.101 grants the district rulemaking and enforcement authority in order to "prevent degradation of water quality" in the District. Permitting power afforded the district allows the District to issue permits that require permitees to agree that "reasonable diligence will be used to protect groundwater quality." Tex. Water Code § 36.113(d)(7). Finally, in regulating spacing and production, the district is tasked with "preventing degradation of water quality." Tex. Water Code § 36.116(a). Taking into consideration the

foregoing, the District has demonstrated its jurisdiction over water quality and issues related to the application.

Relevant Issues.

In light of these concerns, the District raises the following relevant issues within TCEQ's jurisdiction:

1. Whether the draft permit is protective of groundwater;
2. Whether the draft permit is protective of water quality and the existing uses of the receiving waters in accordance with applicable Texas Surface Water Quality Standards;
3. Whether the draft permit complies with applicable antidegradation requirements;
4. Whether the permit application is substantially complete and contains accurate information as it pertains to impacts to groundwater;
5. Whether the Permit is necessary in light of the State's regionalization policy;
6. Whether additional monitoring is required to protect groundwater quality;
7. Whether the draft permit will protect livestock and wildlife in the area that rely on the receiving waters;
8. Whether drinking water supply will be protected under the draft permit;
9. Whether the draft permit contains adequate operator requirements to ensure proper maintenance and operation of the facility; and
10. Whether the Applicant's compliance history requires additional terms and protections in the draft permit.

The District has a significant interest in ensuring that the discharge from Cedar Creek MH's operations do not harm groundwater quality or the area's drinking water supply. This project as currently presented gives no assurances that either will be protected. Thank you for your attention to this matter. Please do not hesitate to call me if you have any questions.

Yours very truly,

/s/Bobby M. Salehi

Bobby M. Salehi

BMS/mah
Enclosure

EXHIBIT A

GM EXHIBIT 13

Expert Report for the General Manager of the Lost Pines Groundwater Conservation District:

Application of Lower Colorado River Authority for Operating and Transport Permits for Eight Wells in Bastrop County, Texas;
Before the State Office of Administrative Hearings;
SOAH Docket No. 952-19-0705

Prepared for:
James Totten
General Manager
Lost Pines Groundwater Conservation District
908 Loop 230
P.O. Box 1027
Smithville, TX 78957
512-360-5088
jtotten@lostpineswater.org

Prepared by:
William R. Hutchison, Ph.D., P.E., P.G.
Independent Groundwater Consultant
9305 Jamaica Beach
Jamaica Beach, TX 77554
512-745-0599
billhutch@texasgw.com

July 25, 2019

Table of Contents

List of Tables

List of Figures

Expert Report for the General Manager of the Lost Pines Groundwater Conservation District:

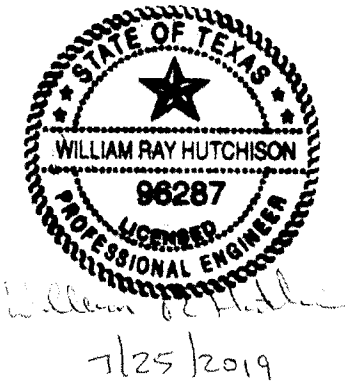
Application of Lower Colorado River Authority for Operating and Transport Permits for Eight Wells in Bastrop County, Texas;
Before the State Office of Administrative Hearings;
SOAH Docket No. 952-19-0705

Professional Engineer and Professional Geoscientist Seals

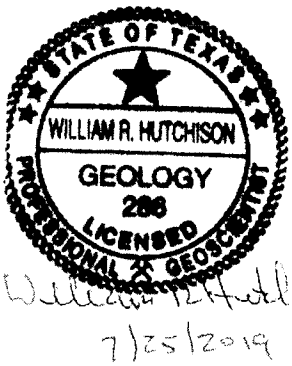
This report documents the work of a licensed Texas Professional Geoscientist and licensed Texas Professional Engineer:

William R. Hutchison, Ph.D., P.E. (96287), P.G. (286)

Dr. Hutchison completed the model simulations and analyses described in this report and was the author of the report.



7/25/2019



7/25/2019

3.3 Groundwater Budgets of Predictive Scenarios

Table 3 presents the groundwater budgets for the two predictive scenarios (Base and Base+LCRA) from 2011 to 2070.

Table 3. Bastrop County Groundwater Budget for Two Predictive Scenarios - 2011 to 2070

Inflow	**Base**	**Base+LCRA**
Recharge	62,666	62,666
Williamson	21	21
Total	62,686	62,686

Outflow		
Pumping	29,546	49,375
Springs	2,707	2,498
River Baseflow	18,053	8,898
Evapotranspiration	172	171
GHB (overlying)	985	979
Caldwell	6,176	6,052
Fayette	13,974	13,722
Lee	9,982	6,907
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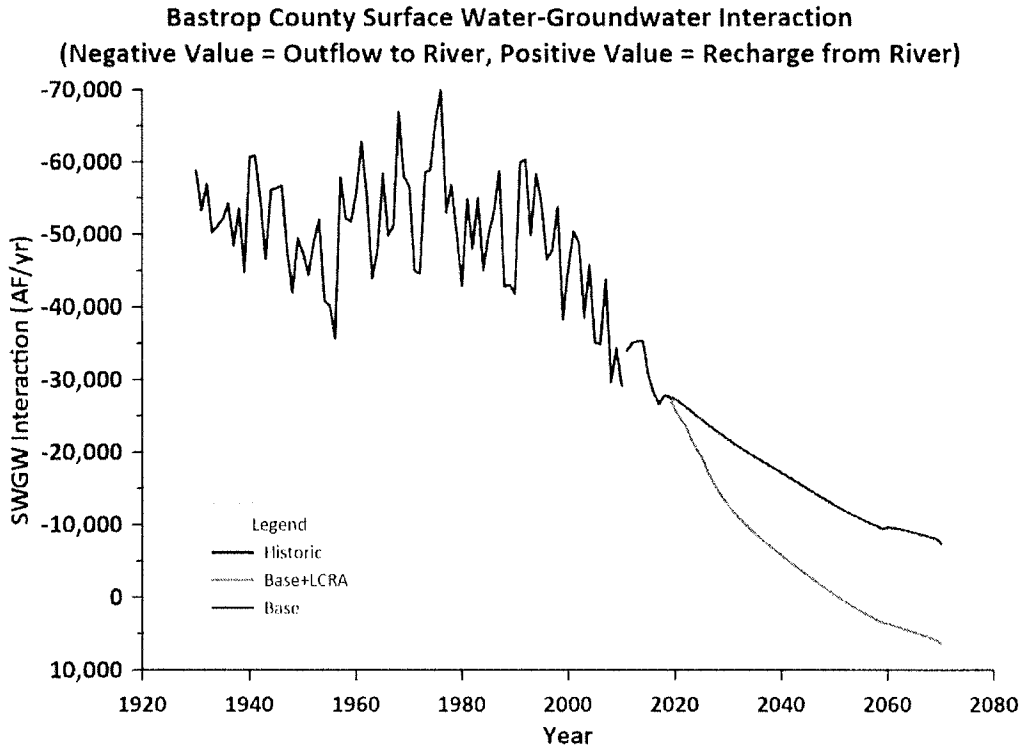

Figure 6. Bastrop County Surface Water-Groundwater Interaction

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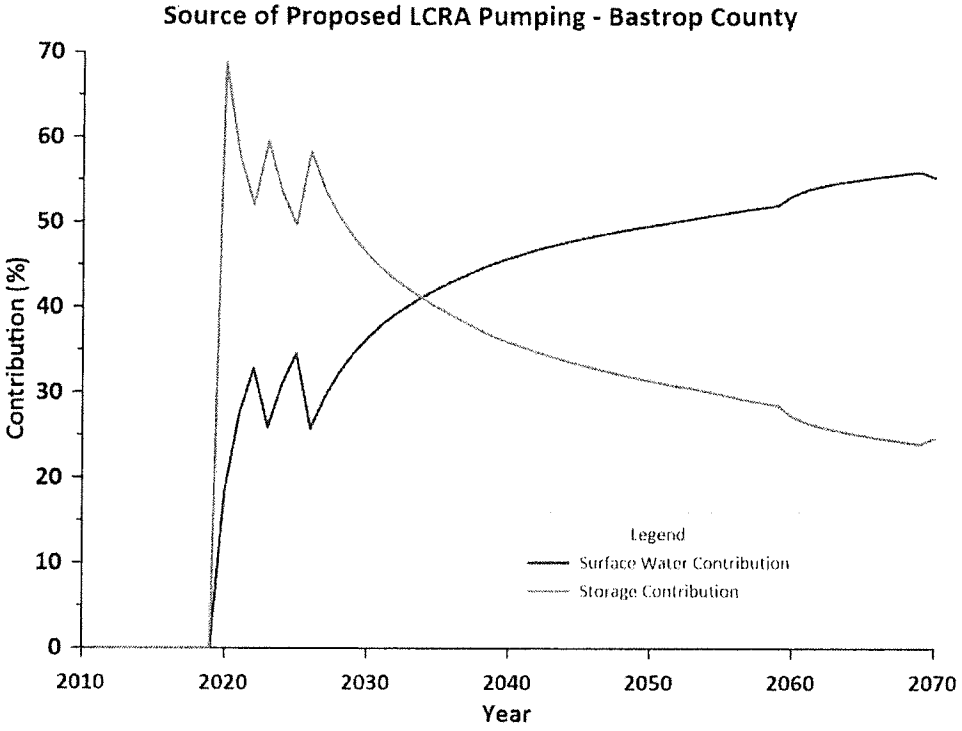

Figure 7. Source of Proposed LCRA Pumping

Please note that when the proposed LCRA pumping begins in 2020, about 70 percent of the pumped water comes from groundwater storage, and the relative contribution from reduced storage declines with time. Conversely, the relative contribution from reduced discharge to surface water/induced recharge from surface water increases with time. The steps in pumping can also be seen in Figure 6. Please note that when the simulated pumping is increased in 2023 and 2026, the initial response is to increase the relative contribution from groundwater storage increases and the relative contribution from surface water decreases. These results suggest that by 2050, over half of the proposed LCRA pumping would be sourced from surface water.

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Christina Bourque

From: PUBCOMMENT-OCC
Sent: Wednesday, February 28, 2024 5:20 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016303001
Attachments: LPGCD Comment Letter Cedar Creek MH LLC 2 27 20241.pdf

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: dkilday@gdhm.com <dkilday@gdhm.com>
Sent: Tuesday, February 27, 2024 5:05 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016303001

REGULATED ENTY NAME CEDAR CREEK WWTP

RN NUMBER: RN111681797

PERMIT NUMBER: WQ0016303001

DOCKET NUMBER:

COUNTY: BASTROP

PRINCIPAL NAME: CEDAR CREEK MH LLC

CN NUMBER: CN606110708

NAME: G. Douglas Kilday

EMAIL: dkilday@gdhm.com

COMPANY: Graves Dougherty Hearon & Moody

ADDRESS: 401 CONGRESS AVE Suite 2700
AUSTIN TX 78701-4071

PHONE: 5124805600

FAX:

COMMENTS: Thank you, Molly Henderson 512 480 5793

GRAVES
DOUGHERTY
HEARON &
MOODY

Bobby M. Salehi
512.480.5638
512.480.5838 (fax)
bsalehi@gdhm.com

MAILING ADDRESS:
P.O. Box 98
Austin, TX 78767-9998

February 27, 2024

Filed Electronically

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality
Office of Chief Clerk MC-105
P.O. Box 13087
Austin, Texas 78711-3087

RE: *Public Comments on Application by Cedar Creek MH, LLC ("Applicant" or "Cedar Creek MH"; Application for New Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016303001 ("Application")*

Dear Chief Clerk Gharis:

This public comment on the above-referenced pending Application is made on behalf of the Lost Pines Groundwater Conservation District ("District" or "Lost Pines GCD"). Following issuance of the Executive Director's ("ED") final decision and response to comments, the District reserves the right to request a contested case hearing on the Application on the issues raised in this comment.

The Application seeks to operate a new Wastewater Treatment Plant and dispose of the wastewater by discharging 150,000 gallons per day (gpd) into the Colorado River ("Request"). The location of this plant's discharge is in the District's jurisdiction in Bastrop County. As further explained below, wastewater discharge will have an adverse impact on groundwater resources regulated by and within the District and relied on by Bastrop County residents as a water supply.

The District is a groundwater conservation district created in 1999 pursuant to Chapter 8849, Special District Local Laws Code (enabling legislation) and confirmed by the voters within the District. The District has the powers, duties, authority, and responsibilities provided Chapter 36 of the Texas Water Code and by the District's enabling legislation. In addition to the Texas Commission on Environmental Quality ("TCEQ"), the District has authority over issues contemplated in the Application. The District was established for the purpose of providing for the conservation, preservation, protection, recharging, and prevention of waste of groundwater and of groundwater reservoirs within the District's boundaries, including the Colorado Alluvial Aquifer. Tex. Water Code § 36.0015.

The Colorado Alluvium Aquifer is a natural resource in the District. The Alluvium is a geologic unit or aquifer formation that yields significant quantities of groundwater to wells in

the District. Lost Pines Groundwater Conservation District Management Plan at p. 14. The Colorado Alluvium Aquifer includes alluvial deposits in river bottom land along the Colorado River and can be on one side of the river or on both sides. It generally consists of sand, with some small gravel and disconnected layers of silt and clay. The District's constituents rely on the Colorado Alluvium Aquifer for municipal, irrigation, and domestic purposes. As described below, in the same segment of Cedar Creek MH's discharge, the Colorado River exchanges water with the Colorado Alluvium Aquifer and at least 3 other aquifer formations.

Discharge from Cedar Creek MH's proposed new Permit No. WQ0016303001 may induce chemical changes in the water in the District's aquifers impacting groundwater quality, and have an adverse effect on the interests of the District and everyone using groundwater in the District. TCEQ has not vetted these significant implications of this Application.

Given the sensitive hydrogeologic site, and proximity to existing groundwater wells, the TCEQ Executive Director has not demonstrated that groundwater will be protected.

The discharge is in a unique and highly sensitive geologic segment of the river. The Colorado River exchanges water with Colorado Alluvial Aquifer and shallow portions of the Carrizo-Wilcox formation in Segment 1428 of the Colorado River Basin, where the Cedar Creek MH plant will discharge. The alluvium and outcrops of the Calvert Bluff Formation, Simsboro Formation, and the Hooper Formation all intersect in Segment 1428. It is inevitable that whatever goes into the river in this segment will make its way into the District's aquifers through one, if not all, of these 3 aquifer outcrops.

The District's hydrogeologist agrees. The Colorado River is an important hydrologic link between these major and minor Central Texas aquifers within the District. In a report prepared by well-published hydrogeologist and engineer Dr. Bill Hutchison, attached as **Exhibit A**, there is proof that surface water from the Colorado River in Bastrop County communicates with the aquifers in the District. Ex. A at p. 16. The report reveals flow losses in the Colorado River and those losses contribute to increases in the groundwater water table. These losses indicate that the Colorado River provides recharge to the aquifers in the same vicinity of the Cedar Creek MH discharge. Groundwater and surface water interaction or communication must be addressed by TCEQ.

Also compelling, the District's records demonstrate many registered wells pump groundwater from these impacted aquifers in Segment 1428. The Application fails to adequately contemplate impacts to local wells in the area, and has not demonstrated compliance with TCEQ's well rules located at 30 Texas Administrative Code § 290.41(c)(1)(B). The owners of these wells rely on groundwater for municipal, irrigation, and domestic purposes, and with this Application, well owners must be concerned about finding an alternative water supply.

In addition, these aquifers and the surface water feeding them serve as a primary water supply for many in the region. TCEQ's own documents acknowledge the significance of the Colorado River Segment No. 1428's designated use of "Domestic Water Supply Use."[1] The sensitive environment in this unique hydrogeologic setting, the regional dependence on groundwater for drinking water supply, and the known interaction between surface water and groundwater are extraordinary circumstances that will be affected by Cedar Creek MH's application. TCEQ may not issue a permit unless existing uses are maintained, and must prevent the degradation of waters, both surface water and groundwater.Because the Application fails to address the sensitivity of the discharge location (both for proximity to outcrops and nearby wells), arguably, it is incomplete. According to the TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (the "IPs"), the TCEQ must consider the sensitivity of a site when setting certain effluent parameters. Additional information must be submitted for the TCEQ to conduct additional screening in the IPs and to ensure the Cedar Creek MH discharge will not adversely impact groundwater quality.

Colorado River recharge that has impaired water quality or induces chemical changes[2] in water in the aquifers is inconsistent with the District's legislatively mandated mission of protecting the aquifers. The District's powers under Chapter 36 of the Texas Water Code and under its rules include, among other things, authority to prohibit persons from harmfully altering the character of groundwater by activities on the surface of the ground that will cause or allow pollutants or other deleterious matter to enter groundwater from the surface or recharge features. Tex. Water Code §§ 36.001, 36.101, and 36.102. The District has a statutory obligation to protect recharge quality under Texas Water Code Chapter 36.

Contamination of these aquifers is a very serious concern of both the District and its constituents. As such, the District's interest in the surface and groundwater resources is directly related to TCEQ's review and consideration of the Cedar Creek MH's TPDES permit application. The District insists on the most stringent effluent limits possible taking into consideration the sensitivity of the discharge on the underground aquifer formations in the area, and on the groundwater wells relied upon by so many in the District's jurisdiction.

The TCEQ Executive Director has not demonstrated that groundwater will be protected.

No analysis has been completed to demonstrate that the wastewater discharge will not percolate into the water table beneath and will be protective of groundwater. Given the

[1] 2022 Texas Integrated Report – Assessment Results for Basin 14 – Colorado River at 58, available here: https://www.tceq.texas.gov/downloads/water-quality/assessment/integrated-report-2022/2022-basin14.pdf.

[2] Due to the potential for geochemical reactions in the aquifers from the discharge pollutants with the sands, silts, gravels, clays, aquifer composition, etc. that is different from the reaction with the discharge pollutants and surface water, more analysis must be done above the standard TCEQ response: "If surface water is protected so it goes that groundwater is also protected." TCEQ's analysis must review chemical interactions of the discharge with the aquifer when evaluating groundwater protection.

sensitive hydrogeologic connection discussed above, percolation poses significant risks to the aquifers. The TCEQ must establish effluent limits that are protective of groundwater.

Cumulative impacts and regionalization are cause for concern.

Atlantis WKA Bastrop, LLC has applied to the TCEQ for a permit to discharge 300,000 gallons per day pursuant to the same TPDES program as Cedar Creek MH. The proposed Atlantis WKA Bastrop permit outfall is within 1.2 miles from the Cedar Creek facility location. Lost Pines is concerned that the proper regionalization requirements were not fulfilled on the Cedar Creek permit application. The City of Austin has an existing permit that allows for the discharge of 300,000 gallons per day that is around 3 miles away from the proposed facility that Cedar Creek can regionalize with. Finally, the City of Bastrop provides regional wastewater service in this area. In lieu of permitting another wastewater plant discharging into the same segment of the Colorado River, the District encourages the TCEQ ED to reexamine the Legislature's regionalization policy at Tex. Water Code § 26.081 to "encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the state and to prevent pollution and maintain and enhance the quality of the water in the state." Obtaining service from another provider is consistent with state law and TCEQ is charged with evaluating whether the requested Cedar Creek MH demand can be met by other existing or proposed regional providers.

Also, the cumulative impacts from these projects will compound the impacts to groundwater and the TCEQ has not demonstrated a thorough analysis of all combined discharges.

Additional monitoring is necessary to protect groundwater.

Additional monitoring of the Cedar Creek MH permit impacts to the Colorado Alluvial Aquifer and impacted aquifers would improve this permit significantly. Although some limited monitoring is included in the draft permit to know if permit effluent limits are met, it will not provide data on the discharge's impacts to groundwater quality. The District requests that the Draft Permit require a groundwater quality monitoring station at the discharge point to track how the effluent interacts with groundwater in those areas, and include an opportunity to reduce permit effluent limits as needed. Absent this additional monitoring, the Draft Permit provides no means to measure whether the effluent is protective of groundwater quality.

Inadequate Antidegradation Review.

Lost Pines GCD is concerned with the antidegradation review completed on the permit application. 30 Texas Administrative Code 307.5 in conjunction with section 26.003 of the Texas Water Code enumerate the antidegradation policy of the state of Commission. According to the application materials, only a Tier 1 antidegradation review was required for this application. Lost

Pines urges the Commission to reconsider this decision and reevaluate the entire application after completing a Tier 2 antidegradation review. A tier 1 review only "protects" water quality sufficient that existing uses are maintained. This low bar requirement concerns lost pines because of the potential impacts to water quality and to groundwater in the area. The application A tier 2 review should be completed on the Cedar Creek MH permit application to ensure that no degradation of water quality occurs due to the discharge. Only performing a tier 1 review on this application calls into serious question the efficacy of the resulting draft permit and whether it will protect water quality, fish and wildlife, and existing uses of the waters. All of which are of concern to Lost Pines GCD.

Compliance History and Operator Requirements.

Lost Pines GCD is concerned with the compliance history and operational ability of the applicant to safely maintain and operate the facility. According to TCEQ's compliance history database, Cedar Creek MH has a no compliance history rating and is currently classified as "unclassified." As such, Lost Pines is concerned with the ability of the applicant to safely operate the discharge facility. Given the discharge amount (150,000 gpd) requested, and the applicant's lack of demonstrated compliance, the draft permit should require that an operator with a Class A license to the facility. The sensitive Colorado Alluvial Aquifer and Carrizo-Wilcox formation in the nearby area exacerbates risk of potential harm and damage to Lost Pines constituents and drinking water supply from an unauthorized discharge from the facility, therefore a Class A operator should be required.

Governmental Authority.

Lost Pines GCD has statutory authority over and interest in the application in accordance with 30 TAC § 55.203, determination of affected person. As mentioned above, the District was established for the purpose of providing for the conservation, preservation, protection, recharging, and prevention of waste of groundwater and of groundwater reservoirs within the District's boundaries, including the Colorado Alluvial Aquifer. Tex. Water Code § 36.0015. The District's jurisdiction consists of Lee and Bastrop counties. According to application documents reviewed by Lost Pines, the proposed facility would be located in Bastrop county, within the District's jurisdictional boundaries. Therefore, as the entity charged by the legislature to protect water supply in Bastrop County, Lost Pines GCD has not only governmental statutory authority over the issues relevant to the application, but also a personal justiciable interest affected by the application in a manner not common to members of the general public.

Chapter 36 of the Texas water code provides the District with authority over water quality important to this application. Section 36.101 grants the district rulemaking and enforcement authority in order to "prevent degradation of water quality" in the District. Permitting power afforded the district allows the District to issue permits that require permitees to agree that "reasonable diligence will be used to protect groundwater quality." Tex. Water Code § 36.113(d)(7). Finally, in regulating spacing and production, the district is tasked with "preventing degradation of water quality." Tex. Water Code § 36.116(a). Taking into consideration the

foregoing, the District has demonstrated its jurisdiction over water quality and issues related to the application.

Relevant Issues.

In light of these concerns, the District raises the following relevant issues within TCEQ's jurisdiction:

1. Whether the draft permit is protective of groundwater;
2. Whether the draft permit is protective of water quality and the existing uses of the receiving waters in accordance with applicable Texas Surface Water Quality Standards;
3. Whether the draft permit complies with applicable antidegradation requirements;
4. Whether the permit application is substantially complete and contains accurate information as it pertains to impacts to groundwater;
5. Whether the Permit is necessary in light of the State's regionalization policy;
6. Whether additional monitoring is required to protect groundwater quality;
7. Whether the draft permit will protect livestock and wildlife in the area that rely on the receiving waters;
8. Whether drinking water supply will be protected under the draft permit;
9. Whether the draft permit contains adequate operator requirements to ensure proper maintenance and operation of the facility; and
10. Whether the Applicant's compliance history requires additional terms and protections in the draft permit.

The District has a significant interest in ensuring that the discharge from Cedar Creek MH's operations do not harm groundwater quality or the area's drinking water supply. This project as currently presented gives no assurances that either will be protected. Thank you for your attention to this matter. Please do not hesitate to call me if you have any questions.

Yours very truly,

/s/Bobby M. Salehi

Bobby M. Salehi

BMS/mah
Enclosure

EXHIBIT A

GM EXHIBIT 13

Expert Report for the General Manager of the Lost Pines Groundwater Conservation District:

Application of Lower Colorado River Authority for Operating and Transport Permits for Eight Wells in Bastrop County, Texas;
Before the State Office of Administrative Hearings;
SOAH Docket No. 952-19-0705

Prepared for:
James Totten
General Manager
Lost Pines Groundwater Conservation District
908 Loop 230
P.O. Box 1027
Smithville, TX 78957
512-360-5088
jtotten@lostpineswater.org

Prepared by:
William R. Hutchison, Ph.D., P.E., P.G.
Independent Groundwater Consultant
9305 Jamaica Beach
Jamaica Beach, TX 77554
512-745-0599
billhutch@texasgw.com

July 25, 2019

Table of Contents

List of Tables

List of Figures

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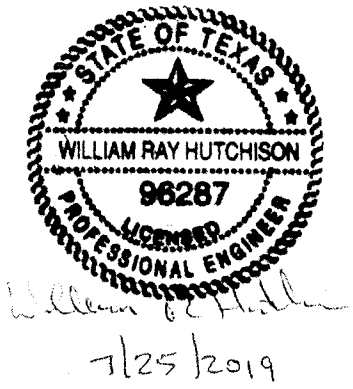
Professional Engineer and Professional Geoscientist Seals

This report documents the work of a licensed Texas Professional Geoscientist and licensed Texas Professional Engineer:

William R. Hutchison, Ph.D., P.E. (96287), P.G. (286)

Dr. Hutchison completed the model simulations and analyses described in this report and was the author of the report.



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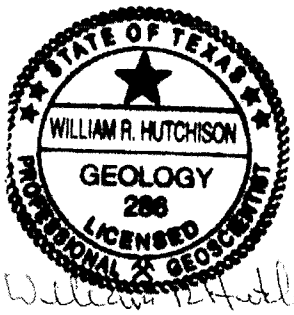

7/25/2019

3.3 Groundwater Budgets of Predictive Scenarios

Table 3 presents the groundwater budgets for the two predictive scenarios (Base and Base+LCRA) from 2011 to 2070.

Table 3. Bastrop County Groundwater Budget for Two Predictive Scenarios - 2011 to 2070

Inflow	**Base**	**Base+LCRA**
Recharge	62,666	62,666
Williamson	21	21
Total	62,686	62,686

Outflow		
Pumping	29,546	49,375
Springs	2,707	2,498
River Baseflow	18,053	8,898
Evapotranspiration	172	171
GHB (overlying)	985	979
Caldwell	6,176	6,052
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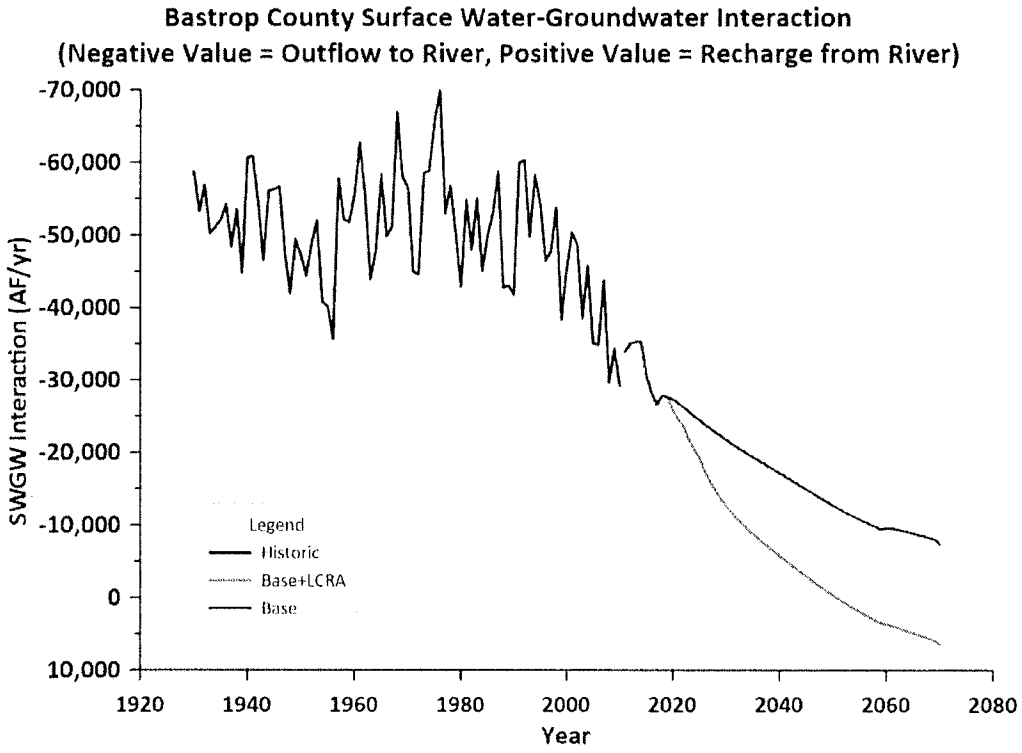

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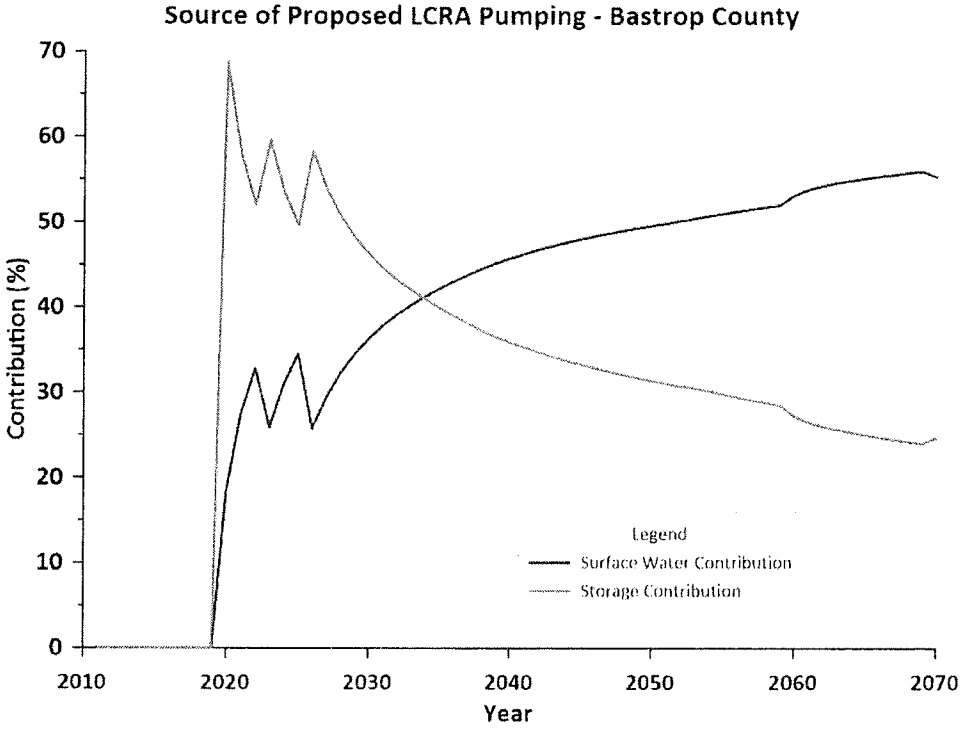

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Kelley, V.A., Deeds, N.E., Fryar, D.G., Nicot, J.-P., Jones, T.L., Dutton, A.R., Unger-Holtz, T., and Machin, J.L., 2004. Groundwater Availability Models for the Queen City and Sparta Aquifers. Prepared for the Texas Water Development Board. October 2004, 867 p.

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(1)

TCEQ Registration Form

February 27, 2024

Cedar Creek MH, LLC
TPDES PERMIT FOR MUNICIPAL WASTEWATER
PERMIT NO. WQ0016303001

PLEASE PRINT

Name: ANDREW WIER

Mailing Address: 321 Sage Rd

Physical Address (if different): _____

City/State: Bastrop, TX **Zip:** 78602

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

Email: awier.tx@gmail.com

Phone Number: (512) 426-5002

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

  If yes, which one? Simsboro Aquifer Water Defense Fund SAWDF

☒ **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.

SAWDF

Simsboro Aquifer Water Defense Fund working with landowners, business, and government to protect and conserve the central Carrizo-Wilcox Aquifer.

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1

Concerns for draft Permit WQ0016303001

1. Whether the draft permit will adversely affect downstream water quality in violation of applicable requirements.
2. Whether the draft permit will adversely affect groundwater in violation of applicable requirements.
3. Whether the draft permit will adversely affect human health in violation of applicable requirements.
4. Whether the draft will prevent nuisance odor conditions in compliance with applicable requirements.
5. Whether issuance of the permit is consistent with the State's regionalization policy.
6. Whether representations contained in the Application are accurate and complete.
7. Whether the proposed location meets application meets applicable location standards.

2

1 - Surface Water Quality Concerns

Dry Creek Segment 0404E

- 2022 Integrated Report – Texas 303(d) List (Category 5)
  - Bacteria in water (Recreation use)

3

1 - Surface Water Quality Concerns

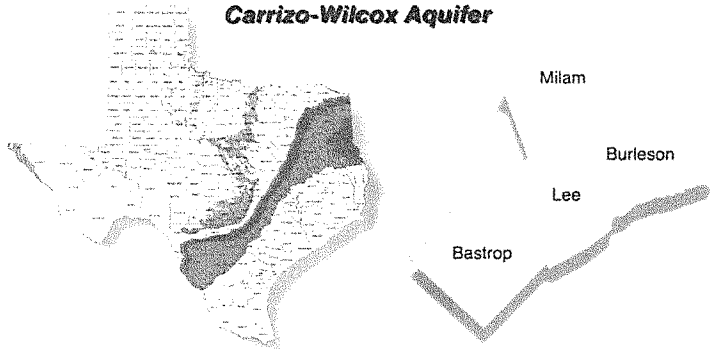
Colorado River Segments 1428 and 1434

- Exceptional Use [Aquatic Life, Contact Recreation, Fish Consumption, Public Water Supply]
- Most recent *TCEQ Water Quality Inventory* conducted 2002
  - Concerns listed:
    - Nitrite + Nitrate Nitrogen
    - Overall Nutrient Enrichment Concerns
    - Macrobenthos Community
    - Fish Community
    - Overall Narrative Criteria Concerns
- 20+ years of LCRA water quality sampling demonstrate "red flags" for these concerns
- 2/7/2024 TCEQ granted a contested case for permit WQ00113977001 regarding water quality concerns raised above.

4

2 – Groundwater Quality Concerns

Carrizo-Wilcox Aquifer



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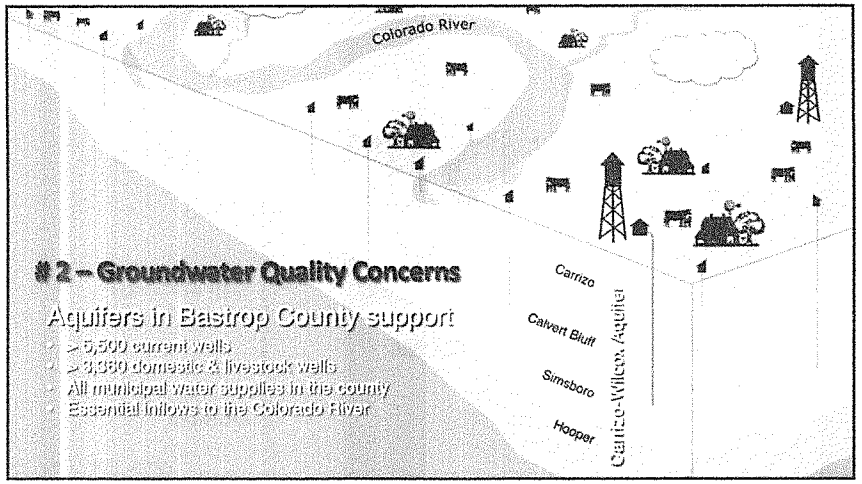
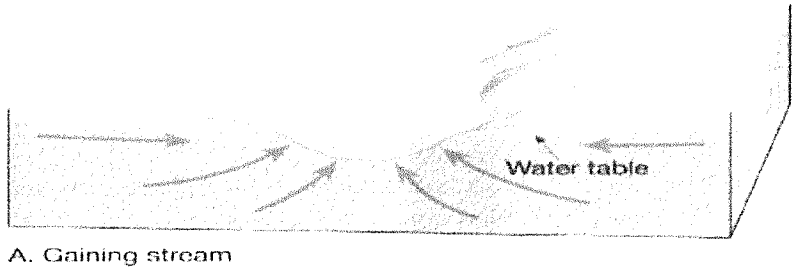


6

2 – Groundwater Quality Concerns

Groundwater – Surface Water Interaction Theory

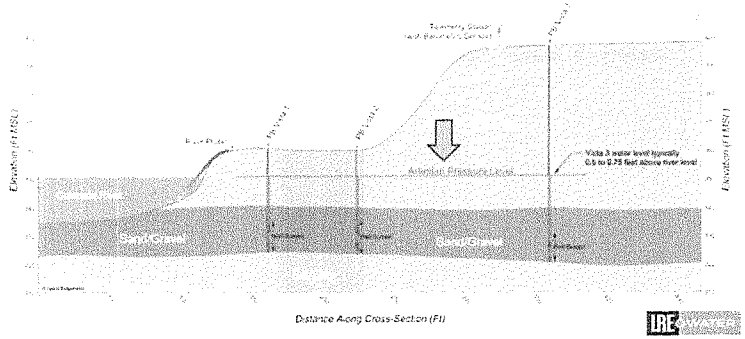


Colorado River – Normal Conditions

7

Groundwater – Surface Water Interaction Study

Figure 4. Schematic Cross-Section of Vista Site



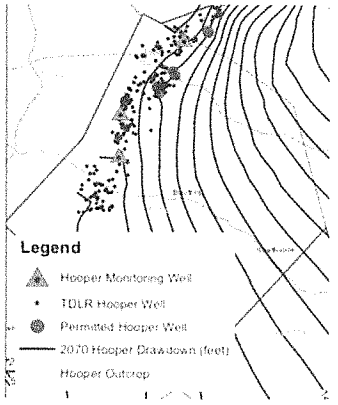
TWDB Contract #1900012305 Final Report; Received August 16, 2021

8

2 – Groundwater Quality Concerns

YR 2070 reductions in artesian pressures along the Colorado River in Bastrop County

- Hooper ≈150 ft ⇩
- Simsboro ≈200 ft ⇩
- Calvert Bluff ≈150 ft ⇩
- Carrizo ≈150 ft ⇩

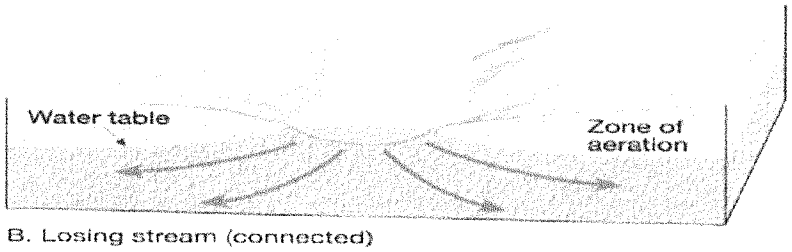


Lost Pines Groundwater Conservation District, 2021

9

2 – Groundwater Quality Concerns

Groundwater – Surface Water Interaction Theory



B. Losing stream (connected)

Colorado River – Future Conditions

10

3 – Human Health

Colorado River Segments 1428 and 1434

- Exceptional Use
  - Contact Recreation,
  - Fish Consumption,
  - Public Water Supply

Dry Creek Segment 0404E

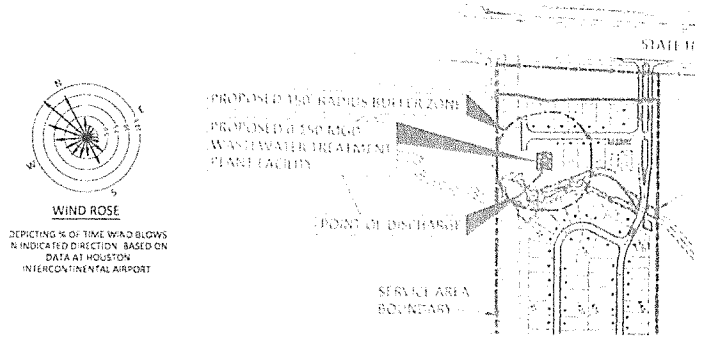
- 2022 Integrated Report – Texas 303(d) List (Category 5)
  - Bacteria in water (Recreation use)

Lost Pines Groundwater Conservation District, 2021

11

4 – Nuisance Odors

WTP platted within the development



12

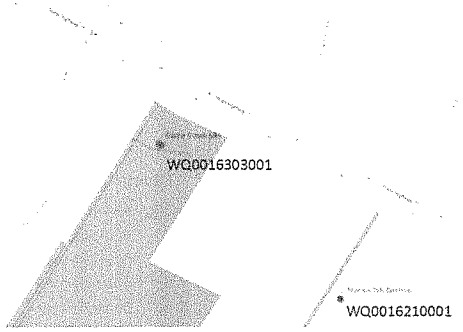
4 – Nuisance Odors

Commercial operations downwind of WTP

13

5 – Regionalization

Proposed WTPs are approximately 2,000 ft apart



14

6 – Application error

Application incorrectly references applicable FEMA Flood Map:

NO. 48339C0450G [Montgomery County, City of Splendora]

The correct FEMA Flood Map for this area is:

NO. 48021C0175G [Bastrop County & incorporated areas]

15

7 – Location in the flood plain

Application states the applicant will raise the WTP foundation by 10 feet because the WTP is located within the flood plain.

11/20/2015 - AAS

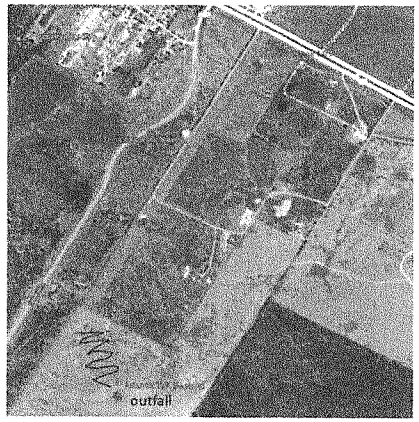
Thunderstorms produced heavy rain that caused flash flooding leading to high water rescues on Tucker Hill Ln. near the Bastrop and Travis County line. Damage assessment from Bastrop County indicated nearly 60 homes destroyed, with 40 also sustaining major damage. Overall, more than 100 homes were flooded or affected by the flooding many of them along Dry Creek near the Bastrop/Travis County line. Debris line showed that water was flowing over Highway 71 near this area. [Damages estimated at $2.1 million]

16

Proposed Modifications

Groundwater & Surface Water Quality

- Reduce GPD through indirect reuse of treated effluent for landscape, and/or
- Regionalization with adjacent development Atlantis WKA Bastrop, LLC
  - Reduce duplication
  - Outfall through enhanced "sinuous man-made ditch"
    - [Letter Agreement with SAWDF]

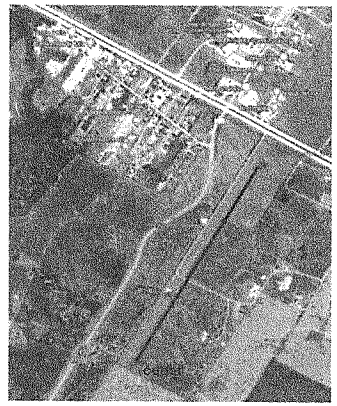


17

Proposed Modifications

Groundwater & Surface Water Quality

- If regionalization is not feasible, move the outfall for Cedar Creek MH WTP to the southern end of the property and use existing ponds/wetlands to enhance integration of treated effluent before it enters Dry Creek and/or Colorado River.
  - Increases run-of-creek by two miles [8.5 vs 6.5 miles]



18

Questions

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