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Name ARELLANO,DEBORAH

Organization

Title

IP Detail

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Counties

Zip Codes

Customers & Regulated Entities

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Number ↕	Program ↕	ID Type ↕	Additional ID ↕	Principal ↕	CN ↕	Status ↕	Active ↕	Comments ↕	Delete
<u>133958</u>	WWPERMIT	PERMIT	WQ0916375001	HAYS COMMONS DEVE...	CN660161412	ACTIVE	YES	<u>NO</u>	✕

Associate...

Actions

Date/Time ↕	Type ↕	Delivery ↕	Acknowledgement ↕	Comments ↕	Documents ↕	Delete
<u>07/19/2024 09:23 PM</u>	COMMENT - WRITTEN ENGLISH	ECOMMENT	-	YES	NO	✕

Add

Comments

I am gravely concerned about the impact this development will have on the quality of the drinking water in this area. The quality of the drinking water in this area is under threat. The impact of the development to the groundwater quality is concerning. We are already under water restrictions due to years of continuous drought. It is not in the best interest of the environment in this area to develop this already sensitive recharge zone to increased usage.

Documents

+ Choose File

Drag & Drop files to the box above to upload, or select Choose File

OK

Reset

Cancel

Tammy Johnson

From: PUBCOMMENT-OCC
Sent: Wednesday, February 12, 2025 5:28 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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: teresab352@yahoo.com <teresab352@yahoo.com>
Sent: Wednesday, February 12, 2025 3:06 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Teresa Becker

EMAIL: teresab352@yahoo.com

COMPANY:

ADDRESS: 306 High Plains Dr
Dripping Springs, TX 78620

PHONE: 5127385188

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:56 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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Texas Commission on Environmental Quality
Office Phone: 512-239-3319

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From: teresab352@yahoo.com <teresab352@yahoo.com>
Sent: Saturday, July 20, 2024 10:09 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Teresa Becker

EMAIL: teresab352@yahoo.com

COMPANY:

ADDRESS: 306 HIGH PLAINS DR
DRIPPING SPRINGS TX 78620-2748

PHONE: 5127385188

FAX:

COMMENTS: Please carefully consider the potentially devastating environmental impact granting this permit could cause. I live in a development in Hays County, with a well that I am constantly in fear of going dry, as others have in my neighborhood. There is not enough water to go around and if the aquifer is polluted, even less to share. I realize I do not live there nor obtain water from the Edwards Aquifer, but I have watched my little town's uncontrolled growth and it's not a pretty sight. We have to better manage growth in the Austin metro area and suburbs. Please, please do not issue this permit. Thank you.

Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Tuesday, July 2, 2024 9:54 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016373001

From: bethbernhard@att.net <bethbernhard@att.net>
Sent: Monday, July 1, 2024 12:22 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Beth Bernhard

EMAIL: bethbernhard@att.net

COMPANY:

ADDRESS: 189 BELWOOD DR
BUDA TX 78610-2283

PHONE: 5122950900

FAX:

COMMENTS: I am concerned about any project that would possibly have an adverse effect on the water supply (i.e. Edward's Aquifer, Little Bear Creek), especially at this critical drought time when water supplies are already stretched to provide for users. What an extreme catastrophe if any of these water supplies were contaminated at any time, much less such a critical time in our drought crisis. My homestead (approximately 4-5 miles from SH45 and FM1626), neighborhood and city are already under

severe drought restrictions at this time. In addition to the possible contamination issue, there is my concern that the increased need for water usage needed for this development will further stretch available resources.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:56 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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Texas Commission on Environmental Quality
Office Phone: 512-239-3319

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From: rebelljb@aol.com <rebelljb@aol.com>
Sent: Sunday, July 21, 2024 2:10 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Laura Borst

EMAIL: rebelljb@aol.com

COMPANY:

ADDRESS: 10727 HOLLY SPRINGS DR
HOUSTON TX 77042-1411

PHONE: 8324288306

FAX:

COMMENTS: Please do not approve the Hays Commons wastewater permits. There is concern that wastewater from the Hays Commons could damage Barton Springs, which is not only a very popular attraction in the Austin area, but it also is a place of great beauty. It is also a place where many people not only swim, but it's also a wild natural place, which is rare these days.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:58 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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Texas Commission on Environmental Quality
Office Phone: 512-239-3319

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From: trojorescueranch@yahoo.com <trojorescueranch@yahoo.com>
Sent: Monday, July 22, 2024 2:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Jodi Brock-Bates

EMAIL: trojorescueranch@yahoo.com

COMPANY:

ADDRESS: 1401 MONTELL RD
WIMBERLEY TX 78676-9710

PHONE: 7133971384

FAX:

COMMENTS: I do not want Milestone dumping anything into our aquifers. Milestone should not be approved to disperse wastewater into the Edwards Aquifer Recharge Zone. They shouldn't be allowed to try and annex the subdivision to get around the law. If we don't have clean drinking water, we will die.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 8:44 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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Office Phone: 512-239-3319

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From: bcnbuda@icloud.com <bcnbuda@icloud.com>
Sent: Wednesday, July 24, 2024 3:15 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Bob Caldwell

EMAIL: bcnbuda@icloud.com

COMPANY:

ADDRESS: 301 AVOCET DR
BUDA TX 78610-2430

PHONE: 5126188088

FAX:

COMMENTS: I am opposed to the TLAP application for Hays Commons as I am concerned about spraying treated sewage above the aquifer due to potential contamination of our drinking water which is seen from that resource. To my knowledge, if allowed, this would be the very first TLAP approved over the recharge zone. There has to be a better way to dispose of their sewage. Don't allow them to experiment with our drinking water! bob caldwell

7

TCEQ Registration Form

July 16, 2024

Hays Commons Development, Inc.

PERMIT NO. WQ0016373001

PLEASE PRINT

Name: MICHELLE CAMP

Mailing Address: 119 MEADOW WOODS DRIVE

Physical Address (if different): _____

City/State: KYLE TX Zip: 78640

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

Email: CAMPMICHEL5@GMAIL.COM

Phone Number: (512) 422-1647

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

If yes, which one? SAVE BARTON CREEK ASSOCIATION
(SBCA)

☒ 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)

SUBMITTED ONLINE IN ADVANCE

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

Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Wednesday, July 10, 2024 3:59 PM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016373001

From: mecamp@utexas.edu <mecamp@utexas.edu>
Sent: Wednesday, July 10, 2024 3:53 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Michelle Camp

EMAIL: mecamp@utexas.edu

COMPANY:

ADDRESS: 119 MEADOW WOODS DR
KYLE TX 78640-8832

PHONE: 5124221647

FAX:

COMMENTS: I am a board member for the Save Barton Creek Association (SBCA) as well as a concerned local citizen who grew up on Little Bear Creek and continues to regularly visit and enjoy this natural area. SBCA has steadily expanded our mission scope over the years, and we now work to protect streams and water quality throughout Central Texas. Specifically, we have become well-versed in the harms that wastewater can cause to natural water quality. As a result, we've opposed numerous wastewater permit

applications throughout Central Texas, and we're opposing Milestone Community Builders' TLAP permit application for the proposed Hays Commons development. We believe that the sewage produced by this development, as currently proposed, would cause unacceptable damage to Little Bear Creek and the Edwards Aquifer Recharge Zone. Thus, I urge the TCEQ to oppose Milestone's TLAP permit application and protect our drinking water source in this sensitive recharge zone from harmful pollution. SBCA has been analyzing and advocating for safer wastewater solutions since 2020 when we published our Hill Country Sewage Scorecard, which analyzed self-reported compliance data of wastewater discharge plants over a 3-year study period. In this Scorecard, we found that 39 of the 48 major municipal discharge plants — 82 percent — exceeded at least one of their permit pollution limits during the study period. Discharge plants are subject to much higher monitoring and reporting requirements than TLAP facilities. It's difficult to compile a similar scorecard for TLAP plants, simply because the monitoring data is sparse and difficult to access. But it's safe to assume, based on the anecdotal evidence that SBCA and others have collected, that many TLAPs are probably exceeding their permit pollution limits even more frequently than discharge plants. We can't allow a TLAP system with a high probability of failure to operate in the highly sensitive Edwards Aquifer Recharge Zone and adversely affect nearby residential drinking water wells and Barton Springs (within as little as 5 days according to a dye-tracing study). As a representative of both SBCA and myself, I urge the TCEQ to reject this TLAP permit application and do your duty to protect our drinking water quality. Thank you.

Vincent Redondo

From: PUBCOMMENT-OCC
Sent: Friday, July 19, 2024 12:58 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: qrkwiggles@yahoo.com <qrkwiggles@yahoo.com>
Sent: Thursday, July 18, 2024 5:46 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Mark Chun

EMAIL: qrkwiggles@yahoo.com

COMPANY:

ADDRESS: 13410 COPPER HILLS DR
MANCHACA TX 78652-3135

PHONE: 8052806311

FAX:

COMMENTS: Regarding TCEQ permit WQ0016373001, Milestone Wastewater Permit. I recommend that TCEQ reject this permit unless the wastewater treatment plant provides secondary sewage treatment. The location of the wastewater treatment plant places it on the border of the Edwards Aquifer Recharge and Transition Zones making this project highly susceptible to groundwater contamination. Once in place, it will be difficult, perhaps impossible, to rectify any issues caused by groundwater contamination from this wastewater treatment plant. I would encourage reviewing the Environmental Impact Statement for State Highway 45 Southwest (CSJ: 1200-06-004 & 1200-07-001), Section 3.6, "Edwards Aquifer / Groundwater Resources". This report can be downloaded from <https://www.mobilityauthority.com/wp-content/uploads/2024/01/sh45swfeis.pdf> . This report covers the intended area for the wastewater treatment plant. The following are important details from the Hwy 45 SW EIS: The first paragraph in Section 3.6.1 (page 147) states "Karst landscapes have unique hydrogeology that results in aquifers that are highly productive but vulnerable to contamination." The groundwater flow rate (see pages 176 & 199) in this area is quite high, taking about 2 to 4 days to flow from Hwy 45 SW to Barton Springs, a distance of about 10 miles. The groundwater flow path can be seen on page 185 (Figure 3.7-2). Any contamination from this project will quickly disperse throughout the aquifer rendering private and community water wells unusable.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 8:51 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: annnclearkin@gmail.com <annnclearkin@gmail.com>
Sent: Thursday, July 25, 2024 11:20 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001.

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Ann Clearkin

EMAIL: annnclearkin@gmail.com

COMPANY:

ADDRESS: 13501 TRAILS END
AUSTIN TX 78737-9117

PHONE: 4083913142

FAX:

COMMENTS: I am not in favor of wastewater plants being in or close to Edwards or Trinity Aquifers. I'm all for responsible growth and development but this isn't in that category. I'm not sure why we continually need to revisit building on top of our reservoirs those developments which threaten it and our downstream waterways. Do not build this development which will impact Edwards aquifer with wastewater. Also please start working with the ground and storm water groups

(1)

TCEQ Registration Form

July 16, 2024

Hays Commons Development, Inc.

PERMIT NO. WQ0016373001

PLEASE PRINT

Name: Mike Clifford

Mailing Address: 5104 Maulding Pass Austin TX 78749

Physical Address (if different): _____

City/State: _____ Zip: _____

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

Email: mike@aquiferalliance.org

Phone Number: (512) 426-4463

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

If yes, which one? GEAA

☐ 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.

Vincent Redondo

From: PUBCOMMENT-OCC
Sent: Tuesday, October 24, 2023 1:15 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

From: countryband77@yahoo.com <countryband77@yahoo.com>
Sent: Tuesday, October 24, 2023 12:35 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Mike Clifford

EMAIL: countryband77@yahoo.com

COMPANY:

ADDRESS: 5104 MAULDING PASS
AUSTIN TX 78749-1637

PHONE: 5124264463

FAX:

COMMENTS: I am a homeowner who lives on the Edwards Aquifer Recharge Zone, and I am against the proposed Hays Commons Wastewater Treatment plant, which would pollute the Edwards Aquifer with up to 150,000 gallons per day of treated sewage. Hays Commons would also create large amounts of stormwater from impervious cover, adding to the pollution of the aquifer. Please deny this permit request in its entirety

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:59 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

Jesús Bárcena
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Texas Commission on Environmental Quality
Office Phone: 512-239-3319

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From: pncrawford@sbcglobal.net <pncrawford@sbcglobal.net>
Sent: Tuesday, July 23, 2024 8:46 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: MRS Pat N Crawford

EMAIL: pncrawford@sbcglobal.net

COMPANY:

ADDRESS: 3401 BARKER HOLLOW PASS
AUSTIN TX 78739-7540

PHONE: 5122821861

FAX:

COMMENTS: Please do not allow or put this waste water facility in the Edwards Aquifer recharge zone behind my house. We are in the Estates of Shady Hollow and back-up to the area immediately before SH 45. This will ruin and jeopardize our hood's safe drinking water that we get from our well via the aquifer.

Vincent Redondo

From: PUBCOMMENT-OCC
Sent: Wednesday, July 17, 2024 8:34 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016373001

From: grammiedad@duck.com <grammiedad@duck.com>
Sent: Monday, July 15, 2024 5:00 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Peter Cross

EMAIL: grammiedad@duck.com

COMPANY:

ADDRESS: 1910 W 39TH ST
AUSTIN TX 78731-6017

PHONE: 8607299280

FAX:

COMMENTS: Please do not approve a wastewater permit for the Hays Common subdivision, which Milestone Community Builders would build in the Edwards Aquifer Recharge Zone. This is not a good location for a wastewater treatment plant. This is TCEQ permit WQ0016373001 There are several serious issues with this proposed plant. There is high protentional for waste water runoff from saturated fields. The irrigation systems in Dripping Springs, Belterra, Barton Creek West, and West Cypress Hills have had

incidents of wastewater runoff. There is no permit limit on phosphorus. Sadly, we've seen too many problems caused by phosphorus, which have caused excessive algae, killing dogs and making the water unusable for recreation. The runoff of high-phosphorus wastewater at Hays Common could cause excessive algae growth in Little Bear Creek, which is in the watershed for Onion Creek, which is one of the last remaining pristine streams in Texas.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:57 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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Texas Commission on Environmental Quality
Office Phone: 512-239-3319

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From: mcuda114@yahoo.com <mcuda114@yahoo.com>
Sent: Sunday, July 21, 2024 6:31 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Mark Cuda

EMAIL: mcuda114@yahoo.com

COMPANY:

ADDRESS: 1704 TREBLED WATERS TRL
DRIFTWOOD TX 78619-8109

PHONE: 7132138112

FAX:

COMMENTS: Edwards Aquifer Recharge Zone and Barton Springs are too critical to approve the Milestone development. Vote NO!

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:56 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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From: mcuda114@yahoo.com <mcuda114@yahoo.com>
Sent: Saturday, July 20, 2024 1:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Mark Cuda

EMAIL: mcuda114@yahoo.com

COMPANY:

ADDRESS: 1704 TREBLED WATERS TRL
DRIFTWOOD TX 78619-8109

PHONE: 7132138112

FAX:

COMMENTS: Edwards Aquifer Recharge Zone and Barton Springs are too critical to approve the Milestone development. Vote NO!

Tammy Washington

From: PUBCOMMENT-OCC
Sent: Thursday, June 26, 2025 5:44 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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Texas Commission on Environmental Quality
Office Phone: 512-239-3319

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From: hdavis8@austin.rr.com
Sent: Thursday, June 26, 2025 5:47 AM
To: PUBCOMMENT-OCC
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: MR Harvey L Davis

EMAIL: hdavis8@austin.rr.com

COMPANY:

ADDRESS: 12604 Red Bud Trail
Buda, TX 78610

PHONE: 5122964607

FAX:

COMMENTS: I strongly oppose the Hays Commons TLAP. They are trying to build a wastewater facility next to our City of Hays.

Vincent Redondo

From: PUBCOMMENT-OCC
Sent: Monday, July 15, 2024 3:41 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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www.tceq.texas.gov/customersurvey

From: hrvdavis@gmail.com <hrvdavis@gmail.com>
Sent: Monday, July 15, 2024 1:54 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: MR Harvey L Davis

EMAIL: hrvdavis@gmail.com

COMPANY: Harvey Davis CPA (retired)

ADDRESS: 12604 RED BUD TRL
BUDA TX 78610-9325

PHONE: 5122964607



FAX:

COMMENTS: I am a City of Hays residents. My home backs up to Hays Commons proposed development. My quality of life and home value would significantly suffer if this terrible request is approved. The dangers to our water wells and to the Edwards aquafer are significant. Please reject their application.

11

TCEQ Registration Form

July 16, 2024

Hays Commons Development, Inc.

PERMIT NO. WQ0016373001

PLEASE PRINT

Name: HANCOY DAVIS

Mailing Address: 12604 Red Bud

Physical Address (if different): _____

City/State: Buda, Tx. Zip: 78610

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

Email: hancovy.davis@gmail.com

Phone Number: (512) 296-4607

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

If yes, which one? City of Hays

☐ 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.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 8:55 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: jdepenning@gmail.com <jdepenning@gmail.com>
Sent: Thursday, July 25, 2024 2:46 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: JoAnn B DePenning

EMAIL: jdepenning@gmail.com

COMPANY: J DePenning Consulting, Inc.

ADDRESS: 12700 EAGLE NEST DR
BUDA TX 78610-2448

PHONE: 5125872701

FAX:

COMMENTS: I am writing to protest the referenced permit application because my drinking water source, a community well within 1 mile of the proposed Milestone Development, will be threatened. For the past 30 years, I have worked hard to protect and preserve the precious, fragile water from the Edwards Aquifer Recharge Zone because our health and future ability to live here in NE Hays County with water supplied by the Aquifer is sacred and only possible with protection, that which the TCEQ is empowered to do. PLEASE DENY the TLAP application and PROTECT OUR DRINKING WATER QUALITY.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 9:01 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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: layton@austin.rr.com <layton@austin.rr.com>
Sent: Thursday, July 25, 2024 4:20 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Layton DePenning

EMAIL: layton@austin.rr.com

COMPANY:

ADDRESS: 12700 EAGLE NEST DR
BUDA TX 78610-2448

PHONE: 5125872756

FAX:

COMMENTS: I live within one mile of the proposed development, and my water source is a community well. I am concerned about the quality and safety of my drinking water. Please deny the TLAP application in order to protect the Edwards Aquifer as it is my only source of safe drinking water.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 8:48 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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www.tceq.texas.gov/customersurvey

From: scduval@gmail.com <scduval@gmail.com>
Sent: Thursday, July 25, 2024 10:11 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: MRS Sally Cassell Duval

EMAIL: scduval@gmail.com

COMPANY:

ADDRESS: 13300 PAISANO TRL
AUSTIN TX 78737-9551

PHONE: 7375006610

FAX:

COMMENTS: Please do not approve this permit. We all need the Edwards Aquifer to be protected from the risk of contamination, and Milestone's plan for dealing with their sewage poses a substantial risk because the development is so large. Please prioritize people who need clean water, and not developer's profit margins. Thank you for your service.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 8:42 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001
Attachments: LRWA_TCEQPublicComment7.22.24_HaysCommon_.docx

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: lrwatx@gmail.com <lrwatx@gmail.com>
Sent: Tuesday, July 23, 2024 12:02 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Linda Fawcett

EMAIL: lrwatx@gmail.com

COMPANY: Llano River Watershed Alliance

ADDRESS: PO BOX 725
JUNCTION TX 76849-0725

PHONE: 3256654165

FAX:

COMMENTS: Office of the Chief Clerk, MC 105 Texas Commission of Environmental Quality Box 13087 Austin, TX 78711-3087 Submitted electronically at <http://www14.tceq.texas.gov/epic/eComments/> Re: TCEQ Permit Application No. WRPERM WQ0016373001, Hays Commons Wastewater Treatment Plant for Hays Commons Development Inc. As President of the Llano River Watershed Alliance, dedicated to preserving the Llano River watershed and representing landowners up and down the South Llano, North Llano, and Llano Rivers (and their tributaries); with over 126 current members and a list serve audience of over 700, I am adamantly opposed to the wastewater permit to serve Hays Commons, a high density housing development to be built on 290 acres in the Edwards Aquifer Recharge Zone. This area is too sensitive to receive even treated wastewater effluent, contaminating the karstic aquifer below and more immediately, is likely to pollute Barton Springs and hundreds of nearby private wells in Northern Hays County and South Austin. Barton Springs has already been closed more than once due to bacterial contamination from septic systems in nearby residential developments. More importantly, here is a dangerous permit because it will set a precedent for more like it, being the first wastewater permit for land application of treated sewage effluent over the Edwards Aquifer Recharge Zone (EARZ), certain to result in contamination of local groundwater. I reiterate from GEAA's well-researched Public Comment: TCEQ's proposed pollution limits for this TLAP are also too lax for a karstic aquifer's contributing zone, especially with its total lack of limits on nutrient removal. Previous TLAPs approved by TCEQ with no nutrient limits have caused excessive nitrate accumulating below the TLAP field, i.e. Belterra 150,000 gal/day in the EA Contributing Zone. TCEQ has also recently approved several more wastewater permits over the EACZ with no nutrient removal, therefore the same potential. Please STOP these mistakes starting with Hays Commons, particularly since the EARZ is so much more sensitive than the EACZ! There are also serious, negative stormwater impacts with this permit. The proposed Hays Commons tract is known for flooding, with large areas in the 100-year and 500-year flood plains of Little Bear Creek. Some single-family homes are surrounded on three sides by floodplain. Moreover, the area contains thin soils that don't absorb water effectively, and according to GEAA, 97% of the proposed Hays Commons soils are Category D, the highest runoff rating of all soils. Into this flood-prone area, Milestone has proposed 14 acres of commercial property with 70% impervious cover, a recipe for groundwater contamination from stormwater runoff. Even with some high-density condo units, the overall impervious cover for the entire proposed development is out of compliance with local city ordinance (Save Our Springs Ordinance over the EARZ). Particularly since Milestone has not surprisingly filed and been granted de-annexation from the City of Hays and Austin, per the [anti-conservation] SB 2038 passed in the last legislative session, it is now up to the TCEQ to make the hard decisions to stop guaranteed negative impacts to land use and water supplies on land once regulated by conservation-minded city ordinances. Please do your job to protect our environment and reject this permit! Thank you for allowing us the opportunity to submit these comments. Respectfully, Linda Fawcett President Llano River Water Alliance



July 26, 2023

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

Submitted electronically at <http://www14.tceq.texas.gov/epic/eComments/>

Re: TCEQ Permit Application No. WRPERM WQ0016373001, Hays Commons Wastewater Treatment Plant for Hays Commons Development Inc.

As President of the Llano River Watershed Alliance, dedicated to preserving the Llano River watershed and representing landowners up and down the South Llano, North Llano, and Llano Rivers (and their tributaries); with over 126 current members and a list serve audience of over 700, I am adamantly opposed to the wastewater permit to serve Hays Commons, a high density housing development to be built on 290 acres in the Edwards Aquifer Recharge Zone. This area is too sensitive to receive even treated wastewater effluent, contaminating the karstic aquifer below and more immediately, is likely to pollute Barton Springs and hundreds of nearby private wells in Northern Hays County and South Austin. Barton Springs has already been closed more than once due to bacterial contamination from septic systems in nearby residential developments.

More importantly, here is a **dangerous permit** because it will set a **precedent** for more like it, **being the first wastewater permit for land application of treated sewage effluent over the Edwards Aquifer Recharge Zone (EARZ)**, certain to result in contamination of local groundwater.

I reiterate from GEAA's well-researched Public Comment: TCEQ's proposed pollution limits for this TLAP are also too lax for a karstic aquifer's contributing zone, especially with its total lack of limits on nutrient removal. Previous TLAPs approved by TCEQ with no nutrient limits have caused excessive nitrate accumulating below the TLAP field, i.e. Belterra 150,000 gal/day in the EA Contributing Zone. TCEQ has also recently approved several more wastewater permits over the EACZ with no nutrient removal, therefore the same potential. Please STOP these mistakes starting with Hays Commons, particularly since the EARZ is so much more sensitive than the EACZ!

There are also serious, negative stormwater impacts with this permit. The proposed Hays Commons tract is known for flooding, with large areas in the 100-year and 500-year flood plains of Little Bear Creek. Some single-family homes are surrounded on three sides by floodplain. Moreover, the area contains thin soils that don't absorb water effectively, and according to GEAA, 97% of the proposed Hays Commons soils are Category D, the highest runoff rating of all soils. Into this flood-prone area, Milestone has proposed 14 acres of commercial property with 70% impervious cover, a recipe for groundwater contamination from stormwater runoff. Even with some high-density condo units, the overall impervious cover for the entire proposed development is out of compliance with local city ordinance (Save Our Springs Ordinance over the EARZ). Particularly since Milestone has not surprisingly filed and been granted de-annexation from the City of Hays and Austin, per the [anti-conservation] SB 2038 passed in the last legislative session, **it is now up to the TCEQ to make the hard decisions to stop guaranteed negative impacts to land use and water supplies on land once regulated by conservation-minded city ordinances.** Please do your job to protect our environment and reject this permit!

Thank you for allowing us the opportunity to submit these comments.

Respectfully,
Linda Fawcett
President
Llano River Water Alliance

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:57 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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www.tceq.texas.gov/customersurvey

From: Cranberries416@yahoo.com <Cranberries416@yahoo.com>
Sent: Sunday, July 21, 2024 1:20 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Elisa Garber

EMAIL: Cranberries416@yahoo.com

COMPANY:

ADDRESS: 12512 TAYLOR DR
BUDA TX 78610-2470

PHONE: 5127318662

FAX:

COMMENTS: I fear that allowing this permit to be approved will be a large threat to my drinking water. My neighborhood is next to the proposed sewage treatment area. Our neighborhood is on a well that will use ground water affected by this treatment. This will in turn threaten our drinking water.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 8:53 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: aaroncgreen1@gmail.com <aaroncgreen1@gmail.com>
Sent: Thursday, July 25, 2024 12:56 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Aaron Green

EMAIL: aaroncgreen1@gmail.com

COMPANY:

ADDRESS: 12619 RED BUD TRL
BUDA TX 78610-9230

PHONE: 5125227231

FAX:

COMMENTS: Please consider the denial of this permit until such a time when TCEQ can administer proper monitoring of the effluent discharge without the reliance of public violation notifications. The potential for irreparable environmental harm to the Edwards Aquifer, Barton Springs, Bear and Onion Creeks, Manchaca Springs, and the degradation of the adjacent landowner's water sources, well-being, and property values remains a high criticality risk that the TCEQ is responsible for. Approval of this permit without proper data collection, analysis, and continued monitoring would constitute a dereliction of the TCEQ's responsibility. "Trust us" will not suffice as proper data analysis.

Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 9:01 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001
Attachments: 20240725_Buda_Comments on Hays Commons Development Land Application Permit.pdf

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

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www.tceq.texas.gov/customersurvey

From: jessica@texasmunicipallawyers.com <jessica@texasmunicipallawyers.com>
Sent: Thursday, July 25, 2024 4:13 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Jessica Grosek

EMAIL: jessica@texasmunicipallawyers.com

COMPANY: Bojorquez Law Firm, PC (on behalf of the City of Buda)

ADDRESS: 11675 JOLLYVILLE RD Suite 300
AUSTIN TX 78759-3939

PHONE: 5122500411

FAX:

COMMENTS: Please see the attached letter from City Manager, Micah Grau, which the Bojorquez Law Firm is filing on behalf of the City of Buda.



405 Loop Street, Bldg. 100
Buda, TX 78610
(512) 312-0084

July 25, 2024

Ms. Laurie Gharis, Chief Clerk
Office of the Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087, MC-105
Austin, Texas 78711-3087
Via Electronic Submittal [<http://www14.tceq.texas.gov/epic/eComment/>]

Re: City of Buda, Texas, Submittal of Public Comments -
Hays Commons Development, Inc. Application for New Texas
Land Application Permit, Proposed Permit No. WQ0016373001

Ms. Gharis:

The City of Buda, Texas ("City") provides the following written public comments on the draft Texas Land Application Permit ("Permit"), Proposed Permit No. WQ0016373001, for the privately-owned Hays Commons Wastewater Treatment Facility ("Facility"). Hays Commons Development, Inc. ("Applicant") proposes to construct the Facility.

The Permit will authorize Facility to discharge a daily average of 150,000 gallons of partially treated wastewater effluent ("Effluent") to the ground surface of a 60-acre plot of land ("Spray Field"). The Facility, if constructed, will utilize a process that receives domestic wastewater, which consists of liquid and aqueous sludge. The Facility will partially dewater the sludge and generate the Effluent by partially treating the existing liquids and those generated by the dewatering process. The Facility will then spray the approximately 150,000 gallons of Effluent on the Spray Field, where plant uptake is intended to further reduce the concentration of potentially harmful nutrients and other pollutants, and will transport the sludge to the Walnut Creek Wastewater Treatment Facility ("WWTF") for further treatment and disposal.

For the following reasons, the City opposes the issuance of the proposed Permit due to the deleterious effects the land application of inadequately treated municipal wastewater would have to both groundwater and surface water in the Edwards Aquifer Recharge Zone (“EARZ”).

1. Shallow Nature of the Soils on the Proposed 60-Acre Land Application Plot Will Not Support Adequate Vegetation

The soils in the area of the proposed Spray Field are shallow and are composed of stony and gravelly clay. Such soils will not readily support an adequate plant community that will be able to perform the additional nutrient removal step the Permit utilizes to make up for the partial upstream nutrient removal process.

2. Inadequate Surface Vegetation for Nutrient Uptake from Sprayed Effluent Results in High Volumes of Effluent Infiltration to Aquifer

A related concern is the Permit’s effluent treatment process’ reliance on nutrient intake by vegetation when the Effluent is sprayed upon the land surface. Where surface vegetation is adequate and perennial, the nutrient uptake of the sprayed Effluent serves as an effective treatment step for the Effluent. However, the City contends that the soil makeup of the Spray Field will not support adequate vegetation to perform that additional nutrient removal step that would serve as an effective secondary treatment method.

A significant concern for the City relates to the fact that not only does the Permit assume that the Spray Field soils are capable of supporting adequate plant life, but it also requires non-native grasses that cannot thrive year-round in the area to be planted. The Permit requires irrigated crops to be planted on the discharge area—including Bermuda and rye grass—that are seasonal and not suited to an arid climate. Unfortunately, native soils are inadequate to support such a non-native vegetative mass, and those Permit-mandated grasses cannot survive in the harsh Hill Country climate.

3. Volume of Effluent Discharge Ratio to Surface Area is Unprotective of Groundwater and Surface Water

The Permit proposes to discharge to the Spray Field a daily average of 150,000 gallons of partially treated Effluent. This volume of liquid discharge to the ground surface is the approximate equivalent of twice the average annual rainfall to the region. The doubling of the annual water volume that the land surface typically absorbs is unsustainable and will result in increased rates of pollutant penetration to groundwater and surface runoff.

4. Inadequately Treated Effluent Runoff Poses Risk to Quality of Nearby Surface Waters

As discussed above, nutrients in Effluent are inadequately removed due to poor soil conditions that cannot support adequate vegetation that would help to maintain the structural integrity of the native soils. Additionally, for the reasons discussed above, the relatively poor soil quality and those soils' limited ability to support perennial native and non-native vegetation can result in unacceptable rates of sediment runoff to the proximate Little Bear Creek and its tributary.

5. Construction of the Facility is Unnecessary Pursuant to State's Policy of Regionalization of Wastewater Treatment Services and the City of Austin's Ability and Likely Willingness to Provide a Reliable Alternative to Facility

The Texas Legislature has articulated a policy of regionalization of wastewater treatment and disposal services when an integrated area-wide wastewater collection, treatment, and disposal system for the area can be reasonably provided.

The City of Austin ("Austin") has the operational expertise and more than adequate wastewater treatment capacity to treat and dispose of the Effluent in full compliance with all legal and regulatory requirements. Therefore, by entering into an arrangement with Austin, Applicant can eliminate the concerns articulated above that relate to the deleterious effects the land application

of inadequately treated municipal wastewater would have to both groundwater and surface water in the EARZ.

For the reasons set forth above, the City respectfully requests that the Commission give serious consideration to the City's comments and not issue the TLAP at all, or at a minimum, in its current form. In addition, the City endorses the comments set out in the enclosed Barton Springs Edwards Aquifer Conservation District's letter dated July 16, 2024, and those of the City of Austin set out in its enclosed July 16, 2024 letter.

Sincerely,



Micah Grau
City Manager
City of Buda, Texas

Enclosures: BSEACD Letter dated July 16, 2024
City of Austin Letter dated July 16, 2024

cc: w/Enclosures

Honorable Lee Urbanovsky, Mayor of the City of Buda
Ms. Alicia Ramirez, City Secretary of the City of Buda
Mr. Alan Bojorquez, Esq., City Attorney of the City of Buda



**Barton Springs
Edwards Aquifer**
CONSERVATION DISTRICT

July 16, 2024

VIA ELECTRONIC SUBMITTAL

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

SUBJECT: Submittal of Public Comments regarding the application by Hays Commons Development, Inc. for a new Texas Land Application Permit No. WQ0016373001.

Dear Ms. Gharis:

I submit this public comment on behalf of the Barton Springs-Edwards Aquifer Conservation District, Board of Directors and six-member staff alike. The District does not support the new Texas Land Application Permit (TLAP) NO. WQ0016373001 as applied for by Hays Commons Development, Inc. This TLAP, if issued, will be located on the Edwards Aquifer Recharge Zone and, therefore, is in direct conflict with the statutory mission of the District.

Beyond the fundamental conflict between the TLAP No. 16373001 location and the District's obligation to "conserving, protecting, enhancing, and preventing waste of groundwater and to preserving all aquifers within the District," I have numerous specific concerns including, but not limited to:

- 1.) Proposed Volume of Wastewater Effluent and Rate of Land Application – The permit, if granted, will allow for the application of 150,000 gallons per day on 60 acres. This is roughly equivalent to a doubling of average annual rainfall for this location. As a result, the potential for creating saturated soil conditions that could lead to runoff and/or deep infiltration into the aquifer is both considerable and problematic for pollution control.
- 2.) Underlying Geology – Beyond the general concern of how applying wastewater effluent to the Edwards Aquifer Recharge Zone is fraught with high potential for contaminating the groundwater contained within the Edwards Limestone, the proposed site for surface application of effluent is the worst choice within the development area. According to a report



**Barton Springs
Edwards Aquifer**
CONSERVATION DISTRICT

prepared by ACI Consulting and submitted to Milestone Community Builders – *Recharge Feature Protection Plan for the Approximately 350-acre Hays Commons Development Tract*, dated December 2023 – the proposed 60-acre location site for surface application/irrigation is underlain by the “Leached and Collapsed Member” stratigraphic unit that features the highest permeability and porosity of the four geologic units within the larger development area. Thus, the surface application site features very high potential for contamination of the Barton Springs segment of the Edwards Aquifer.

- 3.) Soils – Soils in the surface application area are relatively shallow and inherently unable to support the sort of robust vegetative community necessary for effective-year-round uptake of nutrients that will become abundantly available with land application of wastewater effluent. The Rumble-Comfort Association soil series in the irrigation area is of particular concern for its incompatible nature with surface application of wastewater effluent.
- 4.) Proximity of Surface Application Area to Little Bear Creek and its Tributary – The proposed irrigation area is upslope from and adjacent to Little Bear Creek and also situated on either side of an ephemeral tributary. Given the combination of soils, underlying geology, slopes of the area – average 3 percent and maximum 12 percent, and potential for soil saturation, there is high likelihood of pollution from direct runoff and/or subsurface flow to Little Bear Creek.
- 5.) Storage Pond Capacity – the proposed storage pond has capacity to store approximately five month’s worth of wastewater effluent generated at the proposed-daily-average flow. This pond capacity is thought to be inadequate given other concerns addressed above.
- 6.) Proposed Buffers surrounding Critical Environmental Features – Several Critical Environmental Features (CEFs) are situated within the proposed land application/irrigation area. While a buffer around each CEF is proposed by the developer, said buffers appear to be minimal and inadequate for protecting the CEFs and associated groundwater.
- 7.) Nutrient Concentrations in Wastewater Effluent – The proposed Design Calculations for the nutrients, phosphorus and nitrogen, in permitted effluent wastewater are insufficiently protective of water quality, especially under saturated soil conditions, in nearby fresh surface waters. At the



**Barton Springs
Edwards Aquifer**
CONSERVATION DISTRICT

same time, groundwater in the Barton Springs segment of the Edwards Aquifer is similarly threatened by potential for nutrient enrichment from these relatively high concentrations – total nitrogen 20 mg/L, total phosphorus 1 mg/L – that are proposed by the developer.

As a special district of the State of Texas and local unit of government, the District executes its mission and state-required management plan on behalf of our permittees, constituents, and approximately 92,000 people who use groundwater for drinking water within our territory. Furthermore, the District implements a Habitat Conservation Plan and Incidental Take Permit approved by the U.S. Fish and Wildlife Service on behalf of two federally listed endangered species. Much like the people who reside within our jurisdiction, these two endangered salamanders depend on both the water quality and quantity of flow at the Barton Springs pool; a product of the Barton Springs segment of the Edwards Aquifer.

The District's combined actions and obligations are centered on conserving and protecting groundwater. Thus, the District executes a vital role in environmental management for both current and future generations. We respectfully request that the TLAP not be issued as it is currently proposed.

Lastly, I request to be added to your mailing list for your response to comments:

Timothy T. Loftus, General Manager
Barton Springs/Edwards Aquifer Conservation District
1124 Regal Row
Austin, TX 78748
tloftus@bseacd.org
(512) 282-8441

Thank you for your consideration.

Very truly yours,

Timothy T. Loftus, Ph.D.
General Manager

Cc: District Board of Directors
William D. Dugat III, General Counsel



City of Austin

Founded by Congress, Republic of Texas, 1839
Watershed Protection and Development Review Department
P.O. Box 1088, Austin, Texas 78767

July 16, 2024

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

VIA ELECTRONIC SUBMITTAL

SUBJECT: Submittal of Public Comments
Hays Commons Development, Inc. - Request for new Texas Land Application Permit (TLAP)
Permit No. WQ0016373001

Dear Ms. Gharis:

By this letter, the City of Austin (City) submits its written public comments regarding the draft permit of Hays Commons Development, Inc. for a new Texas Land Application Permit (TLAP), Permit No. WQ0016373-001. The City submits these comments because the environmental sensitivity of the area subject to this permit is not adequately addressed in the draft permit. The City can be reached by mailing correspondence to my address on this letterhead and by telephone to my direct number, (512) 974-2619.

The area to be used for land application of treated municipal wastewater covered by the proposed TLAP, Permit No. WQ0016373001 is located over the Edwards Aquifer Recharge Zone and adjacent to City-owned Water Quality Protection Lands (WQPLs).

WQPLs located over the recharge zone are an integral part of the City's protection of drinking water supplies. Specifically, the spray irrigation areas recharge the Barton Springs Segment of the Edwards Aquifer (BSEA). Dye studies in the vicinity of the land application tract have determined travel times as short as five days to Barton Springs from karst features. Barton Springs provides habitat to two federally endangered salamander species and contributes flow to Lady Bird Lake. Degradation of water quality in the BSEA and receiving waters could eventually result in increased treatment costs to public water supply providers, violation of water quality standards, aquatic life use decline, and higher probability of public health impacts to recreational users of Lady Bird Lake and Barton Springs Pool.

The City requests that Texas Commission on Environmental Quality (TCEQ) address the following points of concern and make additional recommended changes to the draft permit. The draft permit should define mitigation practices and require implementation of those practices prior to start-up of wastewater effluent irrigation. With these improvements and attention to operation and maintenance, discharges to the groundwater system and surface waters can be minimized.

Enclosure 2

A. Soils

Comment: Soils in this area are a shallow complex of extremely stony clay, gravelly clay, and gravelly clay loam over limestone bedrock. These soils have severe limitations for treatment or disposal of wastewater effluent. The Rumple-Comfort association in the proposed irrigation areas has severe limitations for sanitary facilities and water management of shallow depth to rock, large stones, and slow percolation (USDA soil survey for Hays County).

Recommended Changes:

- Require a 12-inch minimum soil depth to sustain a viable root zone, support crop growth and maximize uptake of wastewater effluent and nutrients.
- Require irrigation application rates adequate for uptake of wastewater effluent and nutrients, such that percolation below the root zone does not occur.
- Eliminate bedrock outcrop areas from total irrigation acreage or add a special provision that all rock outcrops greater than 200 square feet in irrigation areas shall be covered with at least 12 inches of rootable soil.

B. Geology

Comment: The Edwards limestone is not conducive to safe land application of wastewater effluent. Recharge to the aquifer occurs with rainfall and irrigation on bedrock outcrops, lateral shallow groundwater flow, and vertical leakage in fractures, fissures, and karst features. Shallow groundwater may occur as perched lenses on less permeable strata and migrate laterally to adjacent drainage ways or to discharge from springs and seeps.

Recommended Changes:

- Inspect, review, and evaluate surface and subsurface karst features prior to installation of spray irrigation system and construction of treatment facilities, storage pond, and all underground utilities.
- Fully evaluate karst features and drainage ways for delineation of appropriate setbacks/ buffer zones prior to construction.
- When discovering sensitive environmental features during construction, submit results of evaluations and mitigation practices to TCEQ, prior to beginning land application of effluent.
- Require routine water quality monitoring of all reported springs and seeps within and surrounding the proposed irrigation area. Include a response plan for elevated levels of pollutants from this monitoring.

C. Treatment Plant and Effluent Limits

Comment: The treatment system is proposed to include an anoxic zone of an equalization basin, aeration, membrane bioreactor, and chlorine disinfection. No information is provided on the sizing of the equalization basin or anoxic zone presumably used for biological phosphorus removal. A primary clarifier is mentioned in the Section 4 Plain Language Summary, but no sizing information is provided, and the clarifier is not listed in the process flow diagram.

Limited information is provided on the design of the remainder of the system in summary tables and no attempt is made to demonstrate the ability of the treatment system to meet the proposed effluent quality. The proposed effluent quality in the application included a one milligram per liter (mg/L) concentration limit for total phosphorus, but no such limits are proposed in the draft permit. No total nitrogen concentration limit is proposed in the permit, but an estimated 20 mg/L total nitrogen concentration in the effluent is given. These inadequacies can be resolved through a more complete engineering report on treatment facilities. Although TCEQ justified removing the applicant requested treatment level for TP on the basis of this being a TLAP permit and not a direct discharge permit, the sensitivity of the surface waters and the endangered species supported by springs downgradient of this area warrants more stringent nutrient limitations and monitoring, not weaker limits. Should this application be approved, it will be the first large scale land application permit in the BSEA recharge zone; therefore, additional attention to impacts of nutrients is warranted as a precedent.

Recommended Changes:

- Either require an amended treatment plan as a special provision or amend the application prior to permit issuance to provide design calculations for each treatment unit for review.
- Amend treatment plan to provide ultraviolet disinfection rather than chlorine disinfection.
- Add a special provision for nutrient limitations as originally requested by the applicant in the permit application: 5 mg/L BOD₅, 5 mg/L TSS, 2 mg/L Ammonia-nitrogen (NH₃-N), 1 mg/L total Phosphorous (TP), and 5.0 mg/L minimum Dissolved Oxygen (DO).

D. Effluent Irrigation and Management Plan

Comment: While effluent application rates appear to be low enough on an annual basis based on other TLAPs in the area, there is insufficient information in the application materials and the water balance to evaluate the proposed effluent irrigation management and practices at the irrigation site. “The Appendix R: Engineering Report with Water Balance and Storage Calculations” is simply two summary monthly spreadsheets with no indication of the source of rainfall data, evaporation rates, evapotranspiration, required leaching, or runoff calculations.

Comment: On Attachment for “Item 3 – Domestic Administrative Report 1.1 – Buffer Zone Map,” the Treatment Plant Boundary is identified as the boundary for the 60 ac-ft irrigation storage pond. The 150-ft buffer indicated is not from the treatment units, each treatment unit is not shown, and the distance from each treatment unit to the property boundaries is not shown as required in TCEQ-10053 (10/31/2022 Page 17 of 24).

Comment: Karst recharge features have been identified within the proposed irrigation area. The City of Austin typically requires a 150-ft buffer around karst critical environmental features. Given the proximity of the irrigation area to both the City of Austin Extraterritorial Jurisdiction and WQPL lands, a more substantial buffer around recharge features would be appropriate.

Comment: Springs/seeps have been identified within the proposed irrigation area that are not

buffered the required 500 feet. Over 40% of Irrigation Zones one and two are within 500 feet of a spring/seep (Attachment 1). The spring outlets that were not flowing at the time of the site visit, during a drought, were labeled “seeps” rather than springs and not buffered. Flow indicators including (1) vegetation such as maiden hair fern or moss, (2) travertine/tufa deposits, or both were present at all seep locations and are confirmation that these features flow in wetter conditions.

Comment: The information available in the draft permit is insufficient for comparing wastewater application rate to nutrient uptake rate, therefore we cannot reasonably assume the wastewater effluent and nitrogen uptake is sufficient to eliminate percolation to the aquifer and the shallow groundwater system.

Comment: There is no Seeps/Springs Monitoring Plan outlined in the proposed permit.

Recommended Change:

Add a special provision that the permittee shall develop a Seeps/Springs Monitoring Plan and submit the plan to the TCEQ Water Quality Assessment Team (MC-150) for review and approval within 30 days of permit issuance. At a minimum, the plan shall include:

I. A procedure to conduct field checks at the irrigation fields and down-gradient of the fields to identify emerging springs/seeps. The field checks shall be conducted by a Texas licensed professional engineer or geoscientist.

A. Prior to operation of the irrigation systems, the permittee shall sample a minimum of one existing seep or spring onsite to establish background groundwater quality. The sample(s) shall be analyzed in accordance with parameters listed in special provision 17. Subsequent analyses of springs/seeps onsite shall be compared to this background analysis.

B. Field checks shall be conducted quarterly. If possible, the field checks shall be within 3 days of a 0.5 inch or greater rain event.

C. The locations of the field checks shall be recorded in a field log kept onsite for TCEQ inspection for 5 years.

D. The quarterly checks shall include the existing spring and seeps and identified as features seep-1, seep-2, seep-3, seep-4, and spring-1 (G44).

E. The quarterly checks shall continue for the life of the system.

II. A procedure to obtain grab samples of springs/seeps in the event that springs/seeps develop after irrigation.

A. The samples from the springs/seeps shall be analyzed for chloride, specific conductance, the complete nitrogen series [(NO₃ + NO₂ - N), Total Kjeldahl Nitrogen, ammonia-N], total phosphorus, and ortho-phosphate. The laboratory and analytical methods used must be NELAC accredited and comply with 30 Texas Administrative Code (TAC) Chapter 25.

B. The locations of the springs/seeps that were sampled shall be recorded in a field log kept onsite for TCEQ inspection for five years, along with the results of the laboratory analyses. The laboratory analyses results and field log shall be provided annually to the Barton Spring

Edwards Aquifer Conservation District and City of Austin's Environmental Officer.

C. Monitoring of emerging springs/seeps and of existing seeps shall continue for the life of the system.

- a. The permittee shall implement the plan upon approval by the TCEQ Water Quality Assessment Team. The permittee or TCEQ Executive Director may request modification of the approved plan if future information indicates that it is necessary for the protection of the environment.
- b. The permittee shall submit the data from the Seeps/Springs Monitoring Plan to the Water Quality Assessment Team (MC 150) of the Water Quality Division and the Compliance Monitoring Section (MC 224) by September 30th of each year for review.

Recommended Changes:

- Log actual water balance daily with application/storage records to determine that irrigation rates do not exceed evapotranspiration (ET) rates of cover crop.
- Verify design water balance and adequacy of storage volume provided in storage pond and account for seasonal differences during cool and rainy seasons.
- Determine location and installation of soil moisture sensors to determine areas of soil saturation.
- Direct throw from the irrigation heads away from drainage ways, karst features and associated setbacks/buffer zones and into designated irrigation areas
- Locate and specify tail water controls and run on controls.
- For each phase of development, establish 100% of design vegetation cover for that area prior to initiation of irrigation.
- Determine mitigation measures to eliminate presence and development of preferential flow percolating into the Edwards aquifer and shallow groundwater systems.
- Revise or add special provision – In addition to all other requirements in 30 TAC Chapter 213 (relating to the Edwards Aquifer), the permittee shall protect the sensitive karst features identified in the geological assessment by providing a minimum of 150-foot buffer where wastewater will not be applied or complying with additional best management practices authorized by the Water Pollution Abatement Plan.
- Provide the 500-ft buffer required by the permit around all springs/seeps identified in the Environmental Assessment.
- Add special provision that the permittee shall provide an emergency storage pond for the volume of plant to contain the capacity of the wastewater treatment plant in the event of plant failure and to prevent complete purging of the treatment system into localized karst features hydrologic connected with the Edward Aquifer. The proposed location of this pond, if applicable, shall be submitted to the Water Quality Assessment Team at MC 150 prior to construction of the wastewater treatment plant. Any construction of a new pond shall comply with Special Provisions 29, 30, 31, and 32. Any new pond shall be lined in accordance with Special Provision 18.
- Comply with conditions of TAC Ch. 213.6 regarding wastewater irrigation over the Edwards aquifer recharge zone.

In summary, effluent irrigation on lands adjacent to the City's WQPLs should be undertaken carefully and in a manner that fully protects the Edwards Aquifer and water supply of area

July 16, 2024

Page 6 of 7

residents. TCEQ's draft permit should include additional permit provisions requiring modifications to the proposed design and operations of the irrigation system in order to protect the water resources at risk.

Thank you for your consideration. If you have questions, please contact me at Liz.Johnston@austintexas.gov and Kaela.Champlin@austintexas.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Liz Johnston".

Liz Johnston
Interim Environmental Officer
Watershed Protection Department
City of Austin

cc: Deba P. Dutta, P.E., TCEQ Municipal Permits MC-148

Enclosure 2

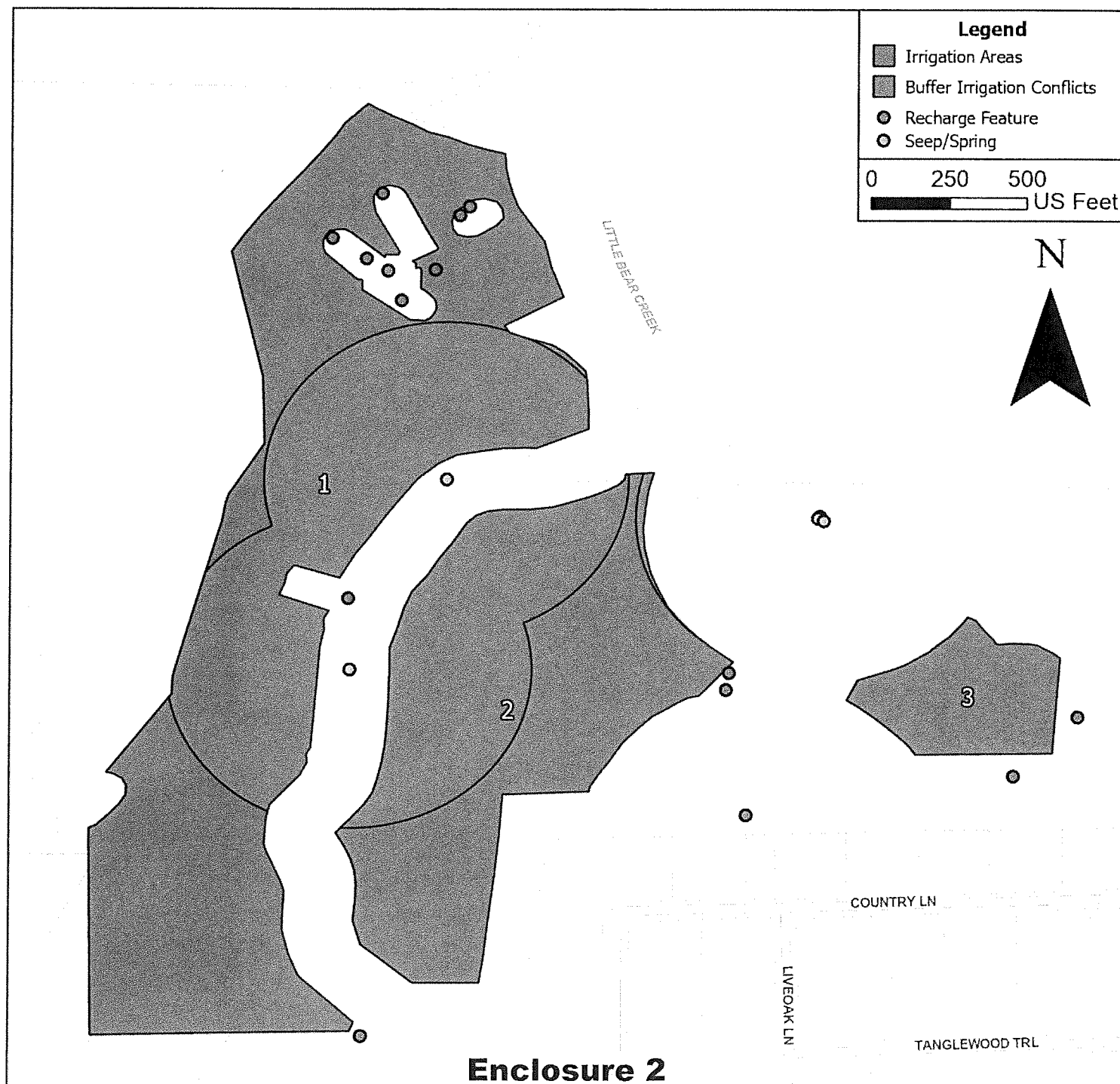
Attachment 1

Hays Commons TLAP

Analysis of Irrigation Areas Near Critical Environmental Features



Irrigation Zone	Area (Acres)	Conflict Area (Acres)	Percent
1	35.93	17.53	42.19
2	19.68	10.19	44.78
3	3.91	0	0



Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 8:55 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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www.tceq.texas.gov/customersurvey

From: jeff@grubertequipment.com <jeff@grubertequipment.com>
Sent: Thursday, July 25, 2024 1:19 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Jeff Grubert

EMAIL: jeff@grubertequipment.com

COMPANY:

ADDRESS: PO BOX 587
MANCHACA TX 78652-0587

PHONE: 5125859720

FAX:

COMMENTS: We cannot afford to have treated sewage discharged on a crucial Edward's Aquifer recharge area.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 9:03 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: ngrubert@austin.rr.com <ngrubert@austin.rr.com>
Sent: Thursday, July 25, 2024 4:49 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: MRS Norma Grubert

EMAIL: ngrubert@austin.rr.com

COMPANY: Arroyo Doble Water Sys. Inc

ADDRESS: 12710 EAGLE NEST DR
BUDA TX 78610-2448

PHONE: 5123121501

FAX:

COMMENTS: I have several concerns about this wastewater treatment plant being placed in this location in this critical recharge area for the Edwards Aquifer. 1. I own and operate Arroyo Doble Water System, Inc. that has two wells into the Barton Springs Edward Aquifer to serve 315 connections with drinking water, as well as other normal household uses. These wells are located on Running Deer Tr. and Morning Dove Cove, Manchaca, TX. Both these locations are near the proposed site of the wastewater treatment plant, probably less than 2 miles to the east. Pollution of our wells is a great concern to me. 2. I live next door to one of the pump stations for Cimarron Park Water System. This system provides for my household water and household water for approximately 600 of my neighbors. Their two wells are a mile or less from the proposed site. More concern about drinking water pollution. 3. I am concerned about the effect the proposed wastewater treatment plant will have on nearby creeks. Many years ago when Buda was a tiny town, my family lived on 25 acres on Onion Creek. We swam in the creek and enjoyed beautiful, clear water. Then Buda built a wastewater treatment plant. It was only a matter of time until Onion Creek behind our home became clogged with green slime - not much fun getting in the water any more. I fear for the condition and health of Little Bear, Bear Creek or any other waterway downstream that gets any of this treated water. Thank you for considering my concerns, and please make a decision that protects our water systems and the creeks and the environment.

Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Wednesday, July 10, 2024 3:51 PM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016373001

From: jahend@gmail.com <jahend@gmail.com>
Sent: Wednesday, July 10, 2024 2:25 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Jacob Hendrickson

EMAIL: jahend@gmail.com

COMPANY:

ADDRESS: 1213 BURLESON ST
SAN MARCOS TX 78666-4766

PHONE: 5126586747

FAX:

COMMENTS: As a lifelong resident of central texas, and the father of a 7 year old who will grow up here, I am writing to oppose this project, in hopes of protecting our area rivers and creeks that I grew up loving and hope my daughter can continue to enjoy the rest of her life.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:58 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: davidmichaelhixon@gmail.com <davidmichaelhixon@gmail.com>
Sent: Sunday, July 21, 2024 4:09 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: David Hixon

EMAIL: davidmichaelhixon@gmail.com

COMPANY:

ADDRESS: 1205 KINNEY AVE E
AUSTIN TX 78704-2156

PHONE: 2105080650

FAX:

COMMENTS: Please do NOT approve this permit. It will destroy the water quality of the Edwards Aquifer and open the door to more permits of this kind.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 9:04 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: greg.jenkins1958@gmail.com <greg.jenkins1958@gmail.com>
Sent: Thursday, July 25, 2024 4:54 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Greg Jenkins

EMAIL: greg.jenkins1958@gmail.com

COMPANY:

ADDRESS: 13800 TRAIL DRIVER
AUSTIN TX 78737-9524

PHONE: 7138281184

FAX:

COMMENTS: I am opposed to the granting of a permit to Milestone Community Builders to introduce sewage, treated or not, into the Edwards Aquifer Recharge Zone for the following reasons. There are no other developments or municipalities irrigating treated sewage over the EARZ, simply because it is unsafe and could lead to a public health crisis, passing treated sewage directly into the groundwater supply that is being used by many local wells. Yet, that is exactly what is being proposed, even though numerous public and private wells serve the communities of Hays, Manchaca, and elsewhere, all located a short distance from where Hays Commons will be disposing of their treated sewage. The proposed Hays Commons tract is known for flooding, with a substantial area of the tract in the 100-year and 500-year flood plains of Little Bear Creek. If the two proposed batch detention ponds aren't properly maintained, solid pollutants in addition to fluid pollutants could find their way into Little Bear Creek and then groundwater. If the Hays Commons wastewater permit is approved by TCEQ, the effluent wouldn't just impact nearby wells and water supply; because of the interconnected nature of the Edwards Aquifer and its surface waterways, the impacts of aquifer contamination with treated sewage and stormwater runoff could be seen quite some distance away. The high-density type of development proposed by Milestone with high impervious cover, coupled with their plan to irrigate treated sewage over the recharge zone, is ill-suited for the environmentally sensitive nature of the area. Existing development in this area respects the location over the EARZ and consists predominantly of single-family homes on one acre plus lots, with On-Site Septic Facilities (OSSFs) for wastewater. Dropping in a high density development with 14 acres of 70% impervious cover commercial space, plus a 32-acre treated sewage irrigation field over numerous Karst features is not only incongruous to the existing area aesthetic but will likely lead to significant groundwater contamination. I urge TCEQ to reject the Hays Commons wastewater permit application in its entirety. Sincerely, Greg Jenkins

Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Wednesday, July 10, 2024 8:42 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016373001

From: lassogirl77@aim.com <lassogirl77@aim.com>
Sent: Tuesday, July 9, 2024 5:52 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Jennifer Muir Johnson

EMAIL: lassogirl77@aim.com

COMPANY:

ADDRESS: 12522 MISTY CRK
SAN ANTONIO TX 78232-4629

PHONE: 2103473451

FAX:

COMMENTS: Permit numberWQ0016373001 should not be approved or allowed because of the likelihood that sewer discharge will sometimes overflow into nearby creeks. These creeks feed the Edwards Underground Aquifer and San Antonio relies upon this for our water supply. Please do not move forward on this permit. Thank you.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:56 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: rosiekhan87@yahoo.com <rosiekhan87@yahoo.com>
Sent: Saturday, July 20, 2024 3:25 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Rosie Khan

EMAIL: rosiekhan87@yahoo.com

COMPANY:

ADDRESS: 7640 NEZ PERCE TRCE
MANOR TX 78653-9600

PHONE: 5129230782

FAX:

COMMENTS: If granted this will be the first waste water permit for land application of treated sewage effluent to be granted over the Edwards Aquifer Recharge Zone. If Milestone gets this permit it will open the door to TLAP permits all over the recharge zone. High density development over this area of the Recharge Zone presents grave threats to hundreds of wells in Northern Hays County and South Austin, and Barton Springs. Prior to September 1st of last year, Hays Commons was subject to impervious cover regulations and other aquifer protection measures enforced by the City of Hays and Austin. When SB 2038 became law, Milestone immediately and successfully filed to have the area deannexed, which means that the aquifer protection measures enforced by both cities are now moot. Since our legislators saw fit to enable exemption from municipal ordinances that were more protective than state law, we ask TCEQ to ensure that the permitting process reflects the wishes of the local communities for additional protections for the Edwards Aquifer. Please deny Milestone's application for the TLAP permit for Hays Commons.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:54 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: lknightmd@gmail.com <lknightmd@gmail.com>
Sent: Friday, July 19, 2024 6:34 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: DR. Leslie Knight

EMAIL: lknightmd@gmail.com

COMPANY:

ADDRESS: 45 SABINAS SPRINGS RD
BOERNE TX 78006-8381

PHONE: 8038402227

FAX:

COMMENTS: I'm writing to protest and ask to deny Milestone's application for the TLAP permit for Hays Commons. Prior to September 1st of last year, Hays Commons was subject to impervious cover regulations and other aquifer protection measures enforced by the City of Hays and Austin. I ask TCEQ to ensure that the permitting process reflects the wishes of the local communities for additional protections for the Edwards Aquifer. Do not allow development of this sensitive area. Our water is already a stressed resource. Dense development should not happen in this region.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:54 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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www.tceq.texas.gov/customersurvey

From: meknight@austin.rr.com <meknight@austin.rr.com>
Sent: Friday, July 19, 2024 2:39 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Marta E Knight

EMAIL: meknight@austin.rr.com

COMPANY:

ADDRESS: 305 RANGER DR
BUDA TX 78610-2539

PHONE: 5126572366

FAX:

COMMENTS: I feel the Hays Commons wastewater treatment plan is harmful to our water quality. We fought to preserve the recharge zone 29 years ago to protect our precious water supply and nothing has changed. The discharge from wastewater will damage water quality and contaminate wells that we depend on for drinking water. My property is approximate 1 mile south of the proposed development and we are on a neighborhood water system with water provided from a well. Please protect our water resource.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 9:02 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001
Attachments: TCEQ addendum letter from Theresa Lemman.docx

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

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www.tceq.texas.gov/customersurvey

From: theresa@culturastrade.com <theresa@culturastrade.com>
Sent: Thursday, July 25, 2024 4:38 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Theresa Lemman

EMAIL: theresa@culturastrade.com

COMPANY:

ADDRESS: 12600 LIVE OAK LN
BUDA TX 78610-9315

PHONE: 5126588771

FAX:

COMMENTS: Please see attached letter,

Theresa Lemman
12600 Live Oak Lane
Buda, TX 78610
Email: theresa@culturastrade.com
Cell: 512-658-8771

July 25, 2024

I would like this letter to be added to my original comments that I submitted before attending the Milestone Hays Commons Wastewater Permit meeting in Buda.

As stated before, I live very close to the proposed site of the proposed water treatment site in the City of Hays.

I spoke at the meeting about my concerns for both the air and water quality and have decided that I need to share these additional points.

Despite Michael Parr's annoyingly repetitive directive toward me that data and science are reliable and his irritating indication that science trumps all- he is wrong. Here are my three examples why data and science are not always entirely accurate or reliable.

Milestone is not a reliable or honest construction company. My close friend M.K. Shaw had lived in her home for many years located at 2601 Del Curto Road in Austin, Texas. Milestone purchased a vacant lot directly across from her home to develop a project. Because they chose to not follow the civil drawing site plans that they had presented to the city for approval, her home was flooded twice.

The grading, landscaping for water control and other site details were done not following the site plan causing the water coming off the new construction site to funnel into her home. Kathleen was forced to sue Milestone and won a settlement for the damages to her home and Milestone was forced to correct the drainage issues that they had caused due to purposeful negligence.

Last year Valor Charter school bought acreage adjacent to my warehouse on Windy Hill Road in Kyle, Texas to build a large school and sports structure. I have owned my warehouse for many years and am extremely familiar with the water drainage as my one acre sits on the edge of a flood plain. There had been no flooding or standing water issues until Valor scraped what had previously been farmland and began construction. To their credit they met with both me and my husband several times but there were many hours spent involving county officials, lawyers and engineers to reach an agreement.

Their civil engineers kept referring to their data despite our explanations that they were pushing large amounts of water onto our property. I finally asked my son-in-law, because he is a licensed, experienced local civil engineer to review their site plans. He spent many hours doing this and found several errors in their calculations and the drawings. Then we had several additional meetings walking the Valor site with their construction and engineer team to discuss acceptable solutions and to point out their failure to follow their own site drawings.

These meetings went on for months. The solution came because Valor's irrigation system first saturated and then flooded my property along with my neighbors. I called the County Health Department and their inspection showed that Valor had created a public menace by creating a swamp that was

hospitable to mosquitos and disease near a school. Finally, Valor was forced to review their data and site drawings and offer solutions to not impact my property.

My last example is very personal and does not involve land.

In 2002 I had surgery to replace a hip which is normally an easy surgery. I became sick from my surgery, and it was finally discovered that I had high levels of chromium and cobalt in my system from the failed engineering of my implant. The engineering failed and micro particles of metal are permanently in my system. No cure, no treatment, no reversal- as in forever.

Mine is a complicated story and it involves years of medical research, failed engineering, false reports, misinterpretation of data, greed and eventually a legal decision that awarded me money but offered no solution for the poor health that I continue to struggle with including my recent tremors. I have experienced what happens when science goes from not knowing the risk of increased levels of chromium and cobalt in the human body to an example of what twenty years of exposure eventually does. It's hell.

I think the fragile system of the Edwards Aquifer is no different than my story. Why risk the possibility of permanent contamination when there is the possibility of failed data, human error, human greed and a lack of long-term research for the effects of effluent in our air and water?

This is an important tract of land. It deserves our protection both now and in the future. Once damaged there is no "going back". Milestone should not be given a permit.

Sincerely,
Theresa Lemman

P. S.

I do believe in science and its remarkable benefits although there have been some pretty spectacular "fails" in my recent memory. All of these projects were based on collected data and engineering. All involved failed data, human error and were based on science.

Hyatt Regency walkway
New Orleans levees
Chernobyl
Charles de Gaulle airport

Vincent Redondo

From: PUBCOMMENT-OCC
Sent: Monday, July 15, 2024 3:41 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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: theresa@culturastrade.com <theresa@culturastrade.com>
Sent: Monday, July 15, 2024 1:30 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Theresa Lemman

EMAIL: theresa@culturastrade.com

COMPANY:

ADDRESS: 12600 LIVE OAK LN
BUDA TX 78610-9315

PHONE: 5126588771

FAX:

COMMENTS: We have lived in our home located at the corner of Live Oan Lane and Country Lane for 45 years. It is located aproximately 300 feet from the proposed wastewater sprinkler site. Our home is not only our investment property but it is where we spend most of our days outside-gardening, hosting family and friends meals and enjoying our 1.4 acres that we have carefully maintained and improved with our labor and savings. I have read and understand the risks of being near a waste sprinkler system that throws micro particles of effluent in the air and on our actual property. I know that this method can put my own health at risk and especially my 3 year old granddaughter that spends many hours with me outside our home. The immune systems of both old and young people are easily compromised by environmental waste. We are all learning about the "forever chemicals" that are appearing in both our "clean" water sources and "filtered" wastewater and to allow Milestone to pollute the fragile Edwards Aquifer near our backyard and our water wells is a crime. We purchased our home in 1979 because of the rural beauty and the knowledge that if we improved our property that we would have an investment that benefited our family in the years to come. If Milestone is allowed to install this terrible wastewater system it will affect the overall value of our property as who wants to live next to a system that is daily polluting our air and terrain? What value would our property have if our wells become polluted and where would we get water? More importantly I am concerned about how it will affect my health and my small granddaughter. I would no longer feel comfortable eating food from our garden, handling our many plants and especially breathing the micro effluent that will be in the air. Is my future to stay inside and no longer get to enjoy my property that I have worked so hard to improve. I do not understand how Milestone is allowed to lie, mislead and spread misinformation about their projects. I do not understand how a project can be considered that could permanently impact our beloved Barton Springs, Edwards Aquifer and Little Bear Creek area. Who are these people at Milestone and why are they purposely blind to the environmental damage that this project will do? Our water is only a valuable asset if we take care of it. Please deny the Milestone application and suggest they put an effluent wastewater system in their own backyard for their families to enjoy.

Vincent Redondo

From: PUBCOMMENT-OCC
Sent: Monday, July 15, 2024 3:42 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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: tomlemman53@gmail.com <tomlemman53@gmail.com>
Sent: Monday, July 15, 2024 2:17 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Tom Lemman

EMAIL: tomlemman53@gmail.com

COMPANY:

ADDRESS: 12600 LIVE OAK LN
BUDA TX 78610-9315

PHONE: 5125657595

FAX:

COMMENTS: I do not want the Milestone wastewater treatment project in my backyard and it is literally in my backyard as my property is located about 275-300 feet from their proposed site. I have owned my 1.4 acres for 45 years and have invested a lot of time and money to create a large family home with outdoor deck and activities for my family. Our small rural neighborhood has large lots, impressive Live Oak trees, lots of native wildlife and relies on a community well for water. I do not want to live next to an effluent sprinkler distribution system and the pollution that it will place on my land. As Texans we are aware of how fragile the Edwards Aquifer, Little Bear Creek and Barton Springs systems are and are especially aware of our reliance on them because of our wells that depend on this underground water system. It is our responsibility to protect our homes, properties and wells from the environmental damage that will be caused by the Milestone project. Milestone should not be allowed to develop this wastewater project. I do not want it in my backyard and it will only do harm to our area.

TCEQ Registration Form

July 16, 2024

Hays Commons Development, Inc.

PERMIT NO. WQ0016373001

PLEASE PRINT

Name: Bobby Levinski

Mailing Address: 248 Camaro way, San Marcos, TX 78666

Physical Address (if different): _____

City/State: San Marcos Zip: 78666

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

Email: bobby@sosalliance.org

Phone Number: (512) 436 7649

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

If yes, which one? Save our springs alliance

☐ 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.

Vincent Redondo

From: PUBCOMMENT-OCC
Sent: Monday, July 15, 2024 7:19 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016373001

From: acitizen0001@gmail.com <acitizen0001@gmail.com>
Sent: Saturday, July 13, 2024 2:46 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Nicholas Littlejohn

EMAIL: acitizen0001@gmail.com

COMPANY:

ADDRESS: 1200 BARTON HILLS DR APT 185
AUSTIN TX 78704-1907

PHONE: 5126695400

FAX:

COMMENTS: TCEQ: No Wastewater Permit on the Edwards Recharge Zone The Texas Commission on Environmental Quality has issued a draft wastewater permit for the Hays Common subdivision, which Milestone Community Builders wants to build in the Edwards Aquifer Recharge Zone. SBCA urges you to tell TCEQ and Milestone that the Recharge Zone — which provides drinking water for nearby residents in Hays and Travis Counties — is the wrong place for a wastewater treatment plant. The draft permit that

TCEQ has issued for Hays Common is a wastewater irrigation permit, officially known as a Texas Land Application Permit (TLAP). Milestone's subdivision would be located at the intersection of State Highway 45 and RM 1626 in northern Hays County. The Austin-based developer has continually changed its plans for Hays Common, but has proposed building 250+ residences in the subdivision. Milestone wants to build Hays Common at a location that's very environmentally sensitive. In addition to being located in the Edwards Aquifer Recharge Zone, the subdivision would straddle Little Bear Creek. The onsite treatment plant, which would treat up to 150,000 gallons of wastewater per day, would be located on the east side of the creek. A septic pipeline would run across Little Bear so that treated wastewater could be irrigated onto fields located on the west side of the creek. Potential wastewater runoff from saturated fields Getting rid of treated wastewater by irrigating it onto land is usually a better option than discharging it into streams, but irrigation isn't without problems. Irrigation systems can become de facto discharge systems when wastewater continues to be applied onto saturated fields, which causes runoff. The irrigation systems in Dripping Springs, Belterra, Barton Creek West, and West Cypress Hills have had reported incidents of wastewater runoff. Irrigation fields can become saturated when they're still wet from heavy rains, but this can also happen because of maintenance and monitoring failures. Because wastewater irrigation systems are assumed to be less problematic than wastewater discharge systems, they may not be monitored and maintained as rigorously. While wastewater discharge systems are required to regularly report their own monitoring data to TCEQ, wastewater irrigation systems are not, making it impossible for the public to know how reliable they are. No permit limit on E. coli When TCEQ issues discharge permits, it sets a limit on the amount of E. coli bacteria that can remain in treated wastewater. The presence of E. coli in water indicates that other fecal pathogens may also be present. However, TCEQ does not include E. coli limits in irrigation permits, including the draft permit that it has proposed for Hays Common. This is risky because the Hays Common wastewater facility would be located over the Recharge Zone for the Edwards Aquifer, which provides little filtration of water-borne pollutants. Potential pollution in a drinking water source The Edwards Aquifer is located in karst limestone, which is riddled with cracks and holes, ranging in size from tiny fractures to large caves. Water in the aquifer is stored in these spaces. The Recharge Zone is where water seeps into karst features on the surface and down into the aquifer's underground reservoir. Unlike other aquifers located in clay or sand, an aquifer located in karst limestone does not filter out pollutants. Whatever is in the water that seeps into the Edwards Aquifer will still be in the water that is pumped out later. Wells drilled in the Edwards Aquifer currently provide drinking water for many residents in northern Hays and southern Travis Counties. The Hays Common irrigation fields would be located around several sensitive karst features in the Recharge Zone. Because there are currently no active wastewater irrigation permits in the Recharge Zone, TCEQ has no actual knowledge about whether permits of this kind could pollute drinking water in the Edwards Aquifer. No permit limit on phosphorus Phosphorus, which is created as a byproduct of the wastewater treatment process, is a common ingredient in many fertilizer mixes for lawns and gardens. When it's added to streams with very low levels of naturally occurring phosphorus, it can fertilize the growth of excessive algae. Milestone asked TCEQ to issue its permit with a phosphorus limit of 1,000 micrograms per liter, but the agency refused, stating that phosphorus limits aren't necessary for wastewater irrigation permits. This would be true if treated wastewater never overflowed from irrigation fields, but again, this isn't always the case. Potential pollution in a pristine watershed The runoff of high-phosphorus wastewater at Hays Common could cause excessive algae growth in Little Bear Creek, which is in the watershed for Onion Creek, which is one of the last remaining pristine streams in Texas. According to research by Dr. Ryan King, a water quality scientist at Baylor University, pristine streams are defined by having 10 micrograms or less of naturally occurring phosphorus per liter. TCEQ recently renewed the wastewater discharge permit for Liberty Hill with a phosphorus limit of 20 micrograms per liter because it's located on another pristine stream, the South San Gabriel River in Williamson County. Milestone also plans to build the Persimmon subdivision, with more than 2,000

residences, just east of Hays Common. Both subdivisions would be located next to an expansion of State Highway 45 that has been proposed by the Hays County Commissioners Court. Milestone has already built several other subdivisions in this area, including The Hills of Bear Creek, near Hays Common; Skyridge, northwest of Hays Common; and Porter Country, Crosswinds, and Sage Hollow, all in Buda. Thank you for protecting our communities and families by denying this harmful permit. Nicholas

Vincent Redondo

From: PUBCOMMENT-OCC
Sent: Wednesday, July 17, 2024 9:01 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016373001
Attachments: Hays Commons_ comment_ draft TLAP WQ00163730011.pdf

From: tloftus@bseacd.org <tloftus@bseacd.org>
Sent: Tuesday, July 16, 2024 3:59 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: DR. Timothy T Loftus

EMAIL: tloftus@bseacd.org

COMPANY: Barton Springs-Edwards Aquifer Conservation District

ADDRESS: 1124 REGAL ROW
AUSTIN TX 78748-3701

PHONE: 5122828441

FAX:

COMMENTS: Please see the attached/uploaded comment letter. Thank you.



July 16, 2024

VIA ELECTRONIC SUBMITTAL

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

SUBJECT: Submittal of Public Comments regarding the application by Hays Commons Development, Inc. for a new Texas Land Application Permit No. WQ0016373001.

Dear Ms. Gharis:

I submit this public comment on behalf of the Barton Springs-Edwards Aquifer Conservation District, Board of Directors and six-member staff alike. The District does not support the new Texas Land Application Permit (TLAP) NO. WQ0016373001 as applied for by Hays Commons Development, Inc. This TLAP, if issued, will be located on the Edwards Aquifer Recharge Zone and, therefore, is in direct conflict with the statutory mission of the District.

Beyond the fundamental conflict between the TLAP No. 16373001 location and the District's obligation to "conserving, protecting, enhancing, and preventing waste of groundwater and to preserving all aquifers within the District," I have numerous specific concerns including, but not limited to:

- 1.) Proposed Volume of Wastewater Effluent and Rate of Land Application – The permit, if granted, will allow for the application of 150,000 gallons per day on 60 acres. This is roughly equivalent to a doubling of average annual rainfall for this location. As a result, the potential for creating saturated soil conditions that could lead to runoff and/or deep infiltration into the aquifer is both considerable and problematic for pollution control.
- 2.) Underlying Geology – Beyond the general concern of how applying wastewater effluent to the Edwards Aquifer Recharge Zone is fraught with high potential for contaminating the groundwater contained within the Edwards Limestone, the proposed site for surface application of effluent is the worst choice within the development area. According to a report p



**Barton Springs
Edwards Aquifer**
CONSERVATION DISTRICT

prepared by ACI Consulting and submitted to Milestone Community Builders – *Recharge Feature Protection Plan for the Approximately 350-acre Hays Commons Development Tract*, dated December 2023 – the proposed 60-acre location site for surface application/irrigation is underlain by the “Leached and Collapsed Member” stratigraphic unit that features the highest permeability and porosity of the four geologic units within the larger development area. Thus, the surface application site features very high potential for contamination of the Barton Springs segment of the Edwards Aquifer.

- 3.) Soils – Soils in the surface application area are relatively shallow and inherently unable to support the sort of robust vegetative community necessary for effective-year-round uptake of nutrients that will become abundantly available with land application of wastewater effluent. The Rumble-Comfort Association soil series in the irrigation area is of particular concern for its incompatible nature with surface application of wastewater effluent.
- 4.) Proximity of Surface Application Area to Little Bear Creek and its Tributary – The proposed irrigation area is upslope from and adjacent to Little Bear Creek and also situated on either side of an ephemeral tributary. Given the combination of soils, underlying geology, slopes of the area – average 3 percent and maximum 12 percent, and potential for soil saturation, there is high likelihood of pollution from direct runoff and/or subsurface flow to Little Bear Creek.
- 5.) Storage Pond Capacity – the proposed storage pond has capacity to store approximately five month’s worth of wastewater effluent generated at the proposed-daily-average flow. This pond capacity is thought to be inadequate given other concerns addressed above.
- 6.) Proposed Buffers surrounding Critical Environmental Features – Several Critical Environmental Features (CEFs) are situated within the proposed land application/irrigation area. While a buffer around each CEF is proposed by the developer, said buffers appear to be minimal and inadequate for protecting the CEFs and associated groundwater.
- 7.) Nutrient Concentrations in Wastewater Effluent – The proposed Design Calculations for the nutrients, phosphorus and nitrogen, in permitted effluent wastewater are insufficiently protective of water quality, especially under saturated soil conditions, in nearby fresh surface waters. At the



**Barton Springs
Edwards Aquifer**
CONSERVATION DISTRICT

same time, groundwater in the Barton Springs segment of the Edwards Aquifer is similarly threatened by potential for nutrient enrichment from these relatively high concentrations – total nitrogen 20 mg/L, total phosphorus 1 mg/L – that are proposed by the developer.

As a special district of the State of Texas and local unit of government, the District executes its mission and state-required management plan on behalf of our permittees, constituents, and approximately 92,000 people who use groundwater for drinking water within our territory. Furthermore, the District implements a Habitat Conservation Plan and Incidental Take Permit approved by the U.S. Fish and Wildlife Service on behalf of two federally listed endangered species. Much like the people who reside within our jurisdiction, these two endangered salamanders depend on both the water quality and quantity of flow at the Barton Springs pool; a product of the Barton Springs segment of the Edwards Aquifer.

The District's combined actions and obligations are centered on conserving and protecting groundwater. Thus, the District executes a vital role in environmental management for both current and future generations. We respectfully request that the TLAP not be issued as it is currently proposed.

Lastly, I request to be added to your mailing list for your response to comments:

Timothy T. Loftus, General Manager
Barton Springs/Edwards Aquifer Conservation District
1124 Regal Row
Austin, TX 78748
tloftus@bseacd.org
(512) 282-8441

Thank you for your consideration.

Very truly yours,

Timothy T. Loftus, Ph.D.
General Manager

Cc: District Board of Directors
William D. Dugat III, General Counsel

Vincent Redondo

From: PUBCOMMENT-OCC
Sent: Monday, July 15, 2024 7:15 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016373001

From: ecl1130@gmail.com <ecl1130@gmail.com>
Sent: Saturday, July 13, 2024 5:14 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Eva Lorini

EMAIL: ecl1130@gmail.com

COMPANY:

ADDRESS: 7003 TREASURE CV Unit B
AUSTIN TX 78745-5472

PHONE: 5126476507

FAX:

COMMENTS: The Edward's Aquifer Recharge Zone — which provides drinking water for nearby residents in Hays and Travis Counties — is a dangerous and wrong place for Milestone's proposed wastewater treatment plant. Please protect our health and the health and lives of our children, older adults, and communities and protect the recharge zone.

IP No. 258088

Name MCALESTER, AGGIE L

Organization DELTA DENTAL

Title

IP Detail Address Electronic Communications **Items & Actions** Additional IDs Counties Zip Codes Customers & Regulated Entities

Items

Show more columns

Number	Program	ID Type	Additional ID	Principal	CN	Status	Active	Comments	Delete
133958	WWPERMIT	PERMIT	WQ0016373001	HAYS COMMONS DEVE...	CN806161412	ACTIVE	YES	NO	x
127674	WWPERMIT	PERMIT	WQ0016111001	BLIZEXAS LLC	CN805898865	ACTIVE	YES	NO	x

Associate...

Actions

Date/Time	Type	Delivery	Acknowledgement	Comments	Documents	Delete
07/25/2024 11:05 AM	COMMENT - WRITTEN ENGLISH	ECOMMENT	x	YES	NO	x

Comments

With all the wells that our rural communities depend on for drinking water, this is very concerning. I understand that sewage has to go somewhere, but is this the answer? Poisoning drinking water? Please come up with a better solution.

Documents

+ Choose File

Drag & Drop files to the box above to upload, or select Choose File

Ok

Reset

Cancel

Vincent Redondo

From: PUBCOMMENT-OCC
Sent: Wednesday, July 17, 2024 9:01 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016373001

From: mccorkle.justin@gmail.com <mccorkle.justin@gmail.com>
Sent: Tuesday, July 16, 2024 4:41 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Justin McCorkle

EMAIL: mccorkle.justin@gmail.com

COMPANY:

ADDRESS: 12618 LIVE OAK LN
BUDA TX 78610-9322

PHONE: 5124612819

FAX:

COMMENTS: As a resident of the City of Hays for around 30 years, I'm dismayed that the state of Texas would consider the monetary interests of developers as more vital to our state than the water safety and security of its residents. No one wants toilets flushed into their well. I don't know why this even requires discussion. We live on highly permeable limestone and the proposed effluent would dump a few hundred yards from our water sources. This proposed project is a threat to our homesteads and families.

Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Monday, July 8, 2024 8:37 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016373001

From: rudye.mcglathlin@gmail.com <rudye.mcglathlin@gmail.com>
Sent: Sunday, July 7, 2024 3:02 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Rudy McGlothlin

EMAIL: rudye.mcglathlin@gmail.com

COMPANY:

ADDRESS: 1008 SPANISH OAK TRL
MANCHACA TX 78652-4001

PHONE: 5129632343

FAX:

COMMENTS: I am concerned about the Hays Common Wastewater Treatment Plant plan being proposed by Hays Commons Development, Inc. The placement of this development is in a sensitive hydrologic area as it is an important recharge zone of the aquifer many in the area utilize for drinking water. I am concerned that this development will negatively affect the well water I depend on. The Edwards aquafer recharge zone has long been an area of limited, thoughtful development because of the

importance to Austin and the surrounding area. Please continue to recognize the sensitivity of the area by rejecting the permit.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 8:42 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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: vmenard@email.com <vmenard@email.com>
Sent: Tuesday, July 23, 2024 7:32 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Valerie Menard

EMAIL: vmenard@email.com

COMPANY: PODER

ADDRESS: 7215 HARTNELL DR
AUSTIN TX 78723-1518

PHONE: 5129261369

FAX:

COMMENTS: I oppose the Milestone Development's application for a wastewater permit to serve Hays Commons for the reasons outlined by the Greater Edward's Aquifer Alliance, specifically, wastewater impacts from lax pollution limits, and storm water impacts from flooding. I encourage TCEQ to reinstate the Ammonia, Nitrogen and Phosphorus nutrient limits that the developer had originally proposed in their permit application and adopt the federal recommendation of an e coli limit of 126 CFUs/100 ml), with weekly testing. Thank you for your time and attention.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 8:44 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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www.tceq.texas.gov/customersurvey

From: PMERCER1124@YAHOO.COM <PMERCER1124@YAHOO.COM>
Sent: Wednesday, July 24, 2024 10:31 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Phillip Neil Mercer

EMAIL: PMERCER1124@YAHOO.COM

COMPANY:

ADDRESS: 12708 DOVE DR
BUDA TX 78610-2501

PHONE: 5128974909

FAX:

COMMENTS: It is my understanding that a home developer is willing to dump their neighborhoods sewage into the aquifer that many of us get our drinking water from. Treated or not, I find this unacceptable and disgusting. My established neighborhood has septic tanks for the homes within, maybe that should be the case for future developement in the northern Hays Co. area.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:55 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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www.tceq.texas.gov/customersurvey

From: carriewn@gmail.com <carriewn@gmail.com>
Sent: Saturday, July 20, 2024 6:25 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: MRS Carrie Napiorkowski

EMAIL: carriewn@gmail.com

COMPANY:

ADDRESS: 14909 FITZHUGH RD UNIT B
AUSTIN TX 78736-6301

PHONE: 5125549210

FAX:

COMMENTS: Allowing a TLAP permit over the Edwards Aquafier Recharge charge is irresponsible and dangerous to the community and its drinking water. Discharge entering Barton creek, even in its "refined, cleaned" form still has a probability of failure, and will contaminate Barton Creek. Allowing this permit opens the door for other permits over the recharge zone, which will undoubtedly cause failure to the ecosystem. Although I understand the pressure to allow, TCEQ must stand firm for all Texans

8

TCEQ Registration Form

July 16, 2024

Hays Commons Development, Inc.

PERMIT NO. WQ0016373001

PLEASE PRINT

Name: Bill OLIVER

Mailing Address: 2728 S. Congress #12

Physical Address (if different): _____

City/State: Austin. Zip: 78704

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

Email: Mr. Oliver@arl.com

Phone Number: (512) 350-4110

- 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.

2

TCEQ Registration Form

July 16, 2024

Hays Commons Development, Inc.

PERMIT NO. WQ0016373001

PLEASE PRINT

Name: Nicholas Paganini

Mailing Address: 3320 Harmon Ave. APT 465

Physical Address (if different): AA

City/State: Austin, TX Zip: 78705

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

Email: legalintern2@sosalliance.org

Phone Number: ()

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

If yes, which one? SOS Alliance

☐ 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.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:55 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: amypancake@gmail.com <amypancake@gmail.com>
Sent: Saturday, July 20, 2024 8:32 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Amy Pancake

EMAIL: amypancake@gmail.com

COMPANY:

ADDRESS: 8105 S 1ST ST # A
AUSTIN TX 78748-5406

PHONE: 5124661168

FAX:

COMMENTS: The Hays Commons project should not be allowed to disperse sewage effluent into the sensitive Edwards Aquifer Recharge Zone. When will we understand that we need to keep our water clean? We've already failed ourselves and our children miserably in this basic, common sense necessity. How hard is it to understand that? We don't need another housing development in that area.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:57 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: dave.perelstein@gmail.com <dave.perelstein@gmail.com>
Sent: Sunday, July 21, 2024 6:33 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: MR David Perelstein

EMAIL: dave.perelstein@gmail.com

COMPANY:

ADDRESS: 1010 BENDEL RANCH RD
NEW BRAUNFELS TX 78133-5931

PHONE: 2103254333

FAX:

COMMENTS: TCEQ needs to ensure land overlying aquifer recharge and contributing zones must still adhere to protective municipal regulations, such as impervious cover limits and water quality protection. Please be a good steward of our water resources which are very limited by simply adhering to "measured" growth, not uncontrolled growth.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:54 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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www.tceq.texas.gov/customersurvey

From: rasperry1003@gmail.com <rasperry1003@gmail.com>
Sent: Friday, July 19, 2024 3:47 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Robin T Perry

EMAIL: rasperry1003@gmail.com

COMPANY:

ADDRESS: 307 LAKEWOOD DR
BUDA TX 78610-2507

PHONE: 5129038503

FAX:

COMMENTS: I live in Buda in the Cimmaron Park neighborhood, across FM 1626 from the proposed Hays Commons Subdivision. In order to protect and preserve the drinking water supply in the nearby existing neighborhoods, and in the Edwards aquifer in general, I strongly urge you to deny the TLAP permit Milestone.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 8:50 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: chrispesek1@gmail.com <chrispesek1@gmail.com>
Sent: Thursday, July 25, 2024 10:25 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Chris Pesek

EMAIL: chrispesek1@gmail.com

COMPANY:

ADDRESS: 12450 SUMMIT PASS
AUSTIN TX 78737-9641

PHONE: 5127361703

FAX:

COMMENTS: Dear GEAA members, This past Tuesday night, Texas Commission on Environmental Quality (TCEQ) hosted a Public Meeting in Buda on Milestone Development's application for a wastewater permit to serve Hays Commons, a high density housing development planned to occupy 290 acres on the Edwards Aquifer Recharge Zone. Milestone's permit to disperse sewage effluent in this sensitive area threatens to pollute Barton Springs and the wells of nearby residents. You can read more [here](#) and [here](#). GEAA, Save Our Springs Alliance and Save Barton Creek Association joined the City of Hays and 80 local residents to voice their concerns. You can see film of the meeting [here](#). If granted this will be the first waste water permit for land application of treated sewage effluent to be granted over the Edwards Aquifer Recharge Zone. If Milestone gets this permit it will open the door to TLAP permits all over the recharge zone. High density development over this area of the Recharge Zone presents grave threats to hundreds of wells in Northern Hays County and South Austin, and Barton Springs. Many of you may recall that Barton Springs has been closed more than once due to bacterial contamination originating from septic systems in nearby residential developments. Written comments submitted by the City of Austin point out several deficiencies in Milestone's application and recommends that the TCEQ should proceed carefully and in a manner that fully protects the Edwards Aquifer and water supply of area residents. Anyone who is concerned about TCEQ setting a really bad precedent by approving Milestone's permit has until next Thursday to write an official protest to TCEQ asking them to deny Milestone's application for the TLAP permit for Hays Commons.

Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Monday, July 29, 2024 3:05 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: joelfpollock@gmail.com <joelfpollock@gmail.com>
Sent: Thursday, July 25, 2024 9:38 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Joel Pollock

EMAIL: joelfpollock@gmail.com

COMPANY:

ADDRESS: 2402 SANDERS LN
AUSTIN TX 78748-1345

PHONE: 5129409752

FAX:

COMMENTS: Please don't let these people pave our recharge zone with gross houses Please don't let them atomize their effluents and spray them into our lakes rivers and recharge zones. Please

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 8:42 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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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:
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From: ppollock1996@gmail.com <ppollock1996@gmail.com>
Sent: Tuesday, July 23, 2024 7:51 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Patsy Pollock

EMAIL: ppollock1996@gmail.com

COMPANY:

ADDRESS: 2402 SANDERS LN
AUSTIN TX 78748-1345

PHONE: 5129407337

FAX:

COMMENTS: This application by the developer MILESTONE is deplorable and egregious. Milestone's proposal to build a wastewater treatment plant on top of the Edwards Aquifer Recharge Zone and immediately adjacent to the BSEA, and then spraying the effluent onto the surrounding area is an obvious disregard for the inevitable consequences of such action. If allowed to happen as written, without sufficient impervious ground cover, maintained erosion control, and a detection/maintenance plan of/for new fissures/seeps/springs, and a dual treatment system at the plant to remove 90% of the solids from said wastewater (among MANY other "issues" with the application), those effluent solids will leach into the Aquifer and ultimately end up in Barton Springs. TCEQ's job is to protect the states environmental treasures, like Barton Springs, Hamilton's Pool, Balmorhea State Park, along with several others, that use the aquifers to filter the ground water and keep these pools pristine, beautiful, and free of bacteria. Barton Springs has two endangered species of salamanders that could very well become extinct if Milestone's TLAP is approved without major revisions. Without additional surveys, and plan changes, i.e. the approval of their application as is, the City of Austin and the State of Texas will lose one of the Hill Country's biggest tourist attractions. While it doesn't bring in a lot of money, Barton Springs a lot of people to the city. Please, reread the letter from Liz Johnson, the Interim Environmental Office from the City of Austin's Watershed Protection Department; she spells it all out for you. Allowing this TLAP to proceed without changes and amendments would be a FLAGRANT dereliction of your duties.

TCEQ Registration Form

July 16, 2024

Hays Commons Development, Inc.

PERMIT NO. WQ0016373001

PLEASE PRINT

Name: Amanda Rainey

Mailing Address: 12908 Buckwheat Pass, Buda TX 78610

Physical Address (if different): _____

City/State: Buda, TX Zip: 78610

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

Email: the3paintedmoons@gmail.com

Phone Number: (737) 414-2427

- 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.

Good Evening,
I am writing to formally ask
that the permit for Milestone's wastewater
plan be rejected. The proximity to the recharge zone
is unacceptable, and as a resident of the county
and of the Coves of Cameron neighborhood, the
NSK level is unacceptable.

Amenda Rauer
12408 Buckwheat Pass
Buda, TX 78016

RECEIVED

JUL 16 2024

AT PUBLIC MEETING

TCEQ Registration Form

July 16, 2024

Hays Commons Development, Inc.

PERMIT NO. WQ0016373001

PLEASE PRINT

Name: Zephry Rainey

Mailing Address: 12902 Buckwheat Pass

Physical Address (if different): _____

City/State: Buda Texas Zip: 78610

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

Email: sonofposeidon3@gmail.com

Phone Number: (737) 414-2427

- 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)

See back

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

This treatment plant is supposed to have minimal risk of damage. Should the aquifer sustain damage, what will the effects be?

RECEIVED

JUL 16 2024

AT PUBLIC MEETING

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 8:50 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: ejreynoldstx@gmail.com <ejreynoldstx@gmail.com>
Sent: Thursday, July 25, 2024 10:37 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: MR Edward J Reynolds

EMAIL: ejreynoldstx@gmail.com

COMPANY:

ADDRESS: 13104 WELLS FARGO TRL
AUSTIN TX 78737-9587

PHONE: 5125653470

FAX:

COMMENTS: Frankly, I cannot believe we are even considering allowing the flow of effluent into an already declining aquifer. Why is this permit even under consideration? Wells are running dry as more and more people move into Hays County. Ranchers can't give their animals water, homes need to have it delivered and you want to allow effluent into the little supply we have left? It's insane.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 8:49 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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: Lennyrice@gmail.com <Lennyrice@gmail.com>
Sent: Thursday, July 25, 2024 10:25 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Leonard Rice

EMAIL: Lennyrice@gmail.com

COMPANY:

ADDRESS: 300 SUNDOWN RDG
AUSTIN TX 78737-9596

PHONE: 5129258166

FAX:

COMMENTS: Please do not approve this permit as written. Water and water rights are the new underground gold. It's very precious and must be protected and conserved. Blessings Leonard Rice

Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Wednesday, July 10, 2024 8:42 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016373001

From: billrod123@yahoo.com <billrod123@yahoo.com>
Sent: Tuesday, July 9, 2024 5:41 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: MR William A Rodriguez

EMAIL: billrod123@yahoo.com

COMPANY:

ADDRESS: 701 N CANYONWOOD DR
DRIPPING SPRINGS TX 78620-3974

PHONE: 5128063560

FAX:

COMMENTS: As a resident relying on clean groundwater, I urge you guys to expect any developers to prove they have double and triple safeguards to ensure NO damage is caused by acts resulting directly or indirectly from their development. Thank you.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:55 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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:
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From: lisaschlegel@yahoo.com <lisaschlegel@yahoo.com>
Sent: Saturday, July 20, 2024 8:25 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Lisa Schlegel

EMAIL: lisaschlegel@yahoo.com

COMPANY:

ADDRESS: 8434 OAK THICKET
SAN ANTONIO TX 78255-3642

PHONE: 2102042305

FAX:

COMMENTS: I officially protest approval of Milestone's application for the TLAP permit for Hays Commons. The Edwards Aquifer and water supply of area residents must be protected, a mandate above any developers who put their profit above the health and safety of our community's water supply. Water is a precious commodity and is becoming increasingly threatened. There should be zero risk tolerance for this precious resource upon which our lives depend.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:58 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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: lscullary@yahoo.com <lscullary@yahoo.com>
Sent: Monday, July 22, 2024 2:10 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Linda Scullary

EMAIL: lscullary@yahoo.com

COMPANY:

ADDRESS: 28535 OAK CREEK DR
NEW BRAUNFELS TX 78132-3626

PHONE: 8308229417

FAX:

COMMENTS: Please deny this permit. The confusion caused by SB 2038 has put the safety of our water resources at great risk. The degradation to Little Bear Creek, the Edwards Aquifer, and area water wells will likely occur with the irrigation of treated sewage in the proposed development area.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 9:05 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: ccraigsmith@icloud.com <ccraigsmith@icloud.com>
Sent: Thursday, July 25, 2024 4:57 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: MR Courtney Craig Smith

EMAIL: ccraigsmith@icloud.com

COMPANY:

ADDRESS: 1908 BARTON PKWY
AUSTIN TX 78704-3212

PHONE: 5124977807

FAX:

COMMENTS: I urge the TCEQ to refuse to approve the draft Texas Land Application Permit (TLAP) requested by Milestone Community Builders for the proposed Hays Commons Subdivision, which would be located on the recharge zone of the Barton Springs segment of the Edwards Aquifer. The draft permit would fail to prevent pollution of the aquifer that is used by thousands of residents as a drinking water supply and is the source of Barton Springs. As you know, the Edwards Aquifer, including the Barton Springs segment, is known to be vulnerable to contamination by toxins, bacteria, and viruses from the surface of the ground because runoff really enters the subterranean water table through large recharge features with little or no filtration by the shallow soil. In the case of Hays Commons, the wastewater treatment plant, which would treat up to 150,000 gallons of sewage a day, would be located on the east side of Little Bear Creek, one of the main sources of recharge of the aquifer, and the effluent would be pumped through a septic pipeline to irrigation fields on the west side. Both the plant and the irrigation fields are near to several known and potential recharge features, where any overflow or spill could flow directly down to the water table and then up into the many nearby drinking water wells. The outcome would be calamitous for many innocent people who depend on those wells. The draft permit fails to include requirements that could guard against or at least reduce the impact of a potential upset or overflow. Those could include a limit on the amount of E. coli bacteria in the effluent. The bacteria is an indication of fecal pollution and may be a sign the presence of viruses and other pathogens. The draft permit also has no limit on the amount of phosphorus, which is a potent fertilizer of algae that could clog Little Bear Creek and the other creeks connected to the aquifer. Instead, the draft permit is basically a generic document that has no safeguards to protect the drinking water of the residents. For twenty-four years, I was an elected director of the Barton Springs Edwards Aquifer Conservation District, whose responsibility is to protect and enhance the groundwater resources of the District. Although I have retired from the District's board, I still feel a responsibility to oppose this draft permit, which could put the aquifer and all who use it at risk.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 8:51 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: rspinn214@gmail.com <rspinn214@gmail.com>
Sent: Thursday, July 25, 2024 12:48 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Roslynn Spinn

EMAIL: rspinn214@gmail.com

COMPANY:

ADDRESS: 13315 TRAIL DRIVER
AUSTIN TX 78737-9531

PHONE: 5126269459

FAX:

COMMENTS: Good day members, I would like to respectfully request that you deny this permit. Allowing sewage into this area is completely irresponsible and the contamination is harmful for so many. I would like to invite you to consider our Wells and the drinking water they provide, in addition to irreparable damage to our beautiful environment and wildlife. I would be most appreciative of a written response explaining your conclusion for this pending application and how this committee could potentially open the floodgates for future pollution. Thank you.

10

TCEQ Registration Form

July 16, 2024

Hays Commons Development, Inc.

PERMIT NO. WQ0016373001

PLEASE PRINT

Name: David Stewart

Mailing Address: 12617 Darryl Dr

Physical Address (if different): _____

City/State: Buda Zip: TX 78610

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

Email: dalaide@hotmail.com

Phone Number: (325) 212-6009

- 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.

maybe

☐ 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.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:55 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: sonbyrd@yahoo.com <sonbyrd@yahoo.com>
Sent: Friday, July 19, 2024 9:07 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: CS Symington

EMAIL: sonbyrd@yahoo.com

COMPANY:

ADDRESS: 2602 RIVER HILLS RD
AUSTIN TX 78733-2135

PHONE: 5122158052

FAX:

COMMENTS: Please DENY Milestone's TLAP application for Hays Commons. If granted this will be the first waste water permit for land application of treated sewage effluent to be granted over the Edwards Aquifer Recharge Zone, thus setting a dangerous precedent. It's abhorrent to think that this might even be considered.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:54 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: talbot@talbotworld.com <talbot@talbotworld.com>
Sent: Friday, July 19, 2024 6:07 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: James Talbot

EMAIL: talbot@talbotworld.com

COMPANY:

ADDRESS: 305 W MILTON ST
AUSTIN TX 78704-3017

PHONE: 5124427613

FAX:

COMMENTS: Please deny any permit to Milestone Builders that would degrade the Edwards Aquifer and/or Little Bear Creek. We cannot afford to pollute our aquifer. Please use the most stringent restraints.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:58 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: bmpr@earthlink.net <bmpr@earthlink.net>
Sent: Monday, July 22, 2024 3:13 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: MR Richard Taylor

EMAIL: bmpr@earthlink.net

COMPANY:

ADDRESS: 3699 BLUE MOUNTAIN LN
MASON TX 76856-5521

PHONE: 3253477144

FAX:

COMMENTS: Please don't do this!!!!

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 8:48 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: ctheriot301@gmail.com <ctheriot301@gmail.com>
Sent: Thursday, July 25, 2024 10:02 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Colleen Theriot

EMAIL: ctheriot301@gmail.com

COMPANY:

ADDRESS: 3404 CHERRY LN
AUSTIN TX 78703-2610

PHONE: 5124764902

FAX:

COMMENTS: For god's sake, no waste water permit for the Hays Commons development! It is INSANE to threaten the Edwards Aquifer in this way, and will only lead to more such shortsighted decisions. There are better ways to handle this! We HAVE to stop taking the greed-based actions that are poisoning the world our children, grandchildren and future generations will inherit. Please, be better than this! Insist that these developers stop taking the cheap route and ensure that no wastewater is discharged in the aquifer recharge zone. Once poisoned, it's poisoned forever. Please don't do this to our precious & vulnerable planet. Thank you for your consideration.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 8:47 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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

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From: tuck764@aol.com <tuck764@aol.com>
Sent: Wednesday, July 24, 2024 8:20 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Tobie Tucker

EMAIL: tuck764@aol.com

COMPANY:

ADDRESS: 12705 DARRYL DR
BUDA TX 78610-2554

PHONE: 5125452096

FAX:

COMMENTS: I live approximately 1-1.5 miles from toll road 45 mph intersection with FM 1626. Our water is mostly artisan in Hays County. The Edwards aquifer recharge zone is critical to our water needs here. I am concerned about this treatment plant affecting our water quality or even meeting minimal standards for safe water for all of us!!

Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Thursday, July 11, 2024 10:24 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016373001
Attachments: Moving off of top dead center.docx

eComment = comment
Attachment = comment

From: waterguy@ix.netcom.com <waterguy@ix.netcom.com>
Sent: Thursday, July 11, 2024 9:04 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: David Venhuizen

EMAIL: waterguy@ix.netcom.com

COMPANY: David Venhuizen, P.E.

ADDRESS: 5803 GATESHEAD DR
AUSTIN TX 78745-3526

PHONE: 5124424047

FAX:

COMMENTS: Please see the attached piece from the Waterblogue. It is suggested that not only the environmental liabilities and the water use inefficiency inherent in the applicant's proposed plan of action can be avoided, but that they could save a boatload of MONEY by moving to a more "progressive"

sort of plan, served by a more "progressive" set of water resources management schemes, what one might label a "total One Water" set of strategies, as described in the attached. Thank you.

Moving off of top dead center ...

Awhile back I attended a confab put on by the Save Barton Creek Association (SBCA) at which was discussed a couple of developments south of Austin, in the vicinity of the City of Hays and the City of Buda, labeled “Hays Commons” and “Persimmon”. The presenters, representing SBCA along with the Save Our Springs (SOS) Alliance and the Greater Edwards Aquifer Alliance (GEAA), asserted that the scale and nature of these developments were “incompatible” with the area and represented a threat to water quality, as they were on or adjacent to the environmentally sensitive Edwards Aquifer Recharge Zone. All of this was presented in rather general terms, as the presenters did not have any actual development plans to show, just generalities about the scale and nature of the proposed projects. And the only actual “prescription” the presenters seemed to have was “just don’t build there”.

But of course, this being a capitalist society, the folks who own that land have investments, and are no doubt responsible to investors who expect a return on their investment. So in an attempt to further the conversation and maybe get into how we might blunt or obviate the problems that the presenters asserted would be imparted by the developments they feared, I asked the obvious question, what would you have these folks do with this land instead? This seemed to have stumped them, but one of the presenters eventually said, “more of the same as what’s there, 1-acre lots on septic.” Apparently unaware of the impacts of that development concept on land fragmentation, and how unfriendly to water quality the types of “septic” systems the county will approve would be. See, for example, [Averting a Crisis \[link\]](#).

Leading me to understand, we need to have a conversation about what sort of development folks think “should” be the manner in which much of the Texas Hill Country develops. Because in the current market, develop much of it will. So I set my mind to looking at the land upon which the Hays Commons project was being planned.

Some years ago I had met with the owner of that property, Bill Walters, to talk about the manner in which he might install water and “waste” water service to develop that property. This was years before any thought of extending City of Austin water and wastewater utility lines might have been entertained that far out from the limits of their system at that time, and even back then the limited supply capacity from the aquifer was understood, so our conversation centered on what folks might term today “One Water” practices, that term having come into vogue in the interim. We talked about using building-scale rainwater harvesting (RWH) for water supply, and about distributed (decentralized concept) wastewater systems that would focus on producing a reclaimed water supply to serve non-potable demands, to reduce the draw on the “original” water supply source. Also a heavy dose of low-impact development (LID) stormwater management techniques, to greatly blunt the impacts of development on runoff water volume and quality.

I could see how these concepts might allow Walters to install water and wastewater services on Hays Commons in a manner that would save him time and money while we all saved water. You see, the working plan of Walters’ development partner Milestone is to get the City of Austin to extend water and sewer lines to the project. That would, of course, require a very significant investment up front, to install the waterlines, pump stations, and storage tanks, and to install the wastewater mains and lift stations. Note that in addition to those line extensions, the developer would still also have to install water distribution lines and sewer lines within the development. Which would all take quite a bit of time, during all of which the actual development – the thing that would produce revenue for the developer – would have to cool its heels. And because of those high up front costs and time delays, the developer would be highly motivated go with a more intense development scheme. That too would entail costs and further time delays to the developer to deal with opposition to denser development from the likes of SBCA, SOS and GEAA, as we’ve already seen.

Enter a better plan, a “total One Water” scheme, to eliminate most of the up front costs and the delays that spending that money would entail, and to also *save a whole lot of water*. AND it would also greatly blunt water quality degradation. Here is that scheme, as I set it before Walters:

First, thank you for taking some of your time to talk with me about the project next to the City of Hays, about the prospects for considering a water infrastructure plan that would have rather reduced up-front costs and regulatory approvals timeline, and would be more sustainable. We need to be pursuing sustainable water strategies, of course, as that’s really a matter of long-term sustainability, including having the water supplies to continue to develop in this region. A current series of articles in the New York Times is highlighting how America is draining away a “legacy” groundwater supply, overdrawing aquifers all over the country. Which of course is true around here. Indeed, one wonders, are we really acting in a manner such that we’re planning for only One More Generation [link], and after that, we really don’t have a plan? So maybe this development should be “saved” from becoming just one more exponent of that “one more generation” attitude?

For water supply, you noted that you’ve drilled 3 wells on this property, each of which was found to yield enough flow to support at least some of the desired development. Given the drought-induced issues with declining aquifers around here, one must wonder just how sustainable those yields may be. So maybe consider greatly “extending” that supply with a “conjunctive management” scheme, entailing:

- Create a PWSS [public water supply system] using one or more of the wells as its water supply source. Determine which buildings would have a level of service that would rise to the level needing the water supply to be a PWSS, and install a limited distribution system to those buildings only. That, along with the permitting of the PWSS, and of course one or more ground storage tanks, would be all of the water supply facilities that would need to be “papered”, financed and installed prior to being able to start selling those lots to builders, and to start building on them.
- The rest of the development – be they commercial or residential properties – would employ building-scale RWH as the water supply strategy. This would entail no up-front costs, as the whole water supply system would be built as the building is built. And with building-scale RWH at a level of service that does not rise to being classified as a PWSS, there would be very little regulatory burden.
- Of course, the building-scale RWH systems should be designed and installed so as to be as sustainable “as practical”. This would dictate that building roofprints may need to be larger than would “normally” be the case for the sorts of buildings being considered. And that of course would have impacts on building styles, so the developer, and builders, would have to be willing to consider all that.
- As for how to accommodate the “large” roofprints, please consider what I call the “veranda strategy” for adding relatively less expensive roofprint, by adding “verandas” around the building. By this means, expanded roofprints that would render RWH systems sustainable through worse drought periods can be provided relatively cost efficiently. So we’d want to look at the sorts of spaces the developer wants to be able to market, and consider if buildings housing those spaces could be practically built, and marketed, to provide the needed roofprint.
- Of course, there would be a cost for the cisterns required for each building-scale RWH system, but perhaps this cost could be blunted – if not “relieved” altogether? – by lower lot prices availed by there being very little up-front costs to create an overall water supply system.
- The PWSS drawing from the well would also be the source of backup water supply for the building-scale RWH systems, if drought became too severe and the building-scale RWH systems’ cisterns became depleted. This would put control of backup supply availability within the development, so that all owners of RWH-served properties would be assured of having a backup supply whenever needed. The backup supply would be delivered from a ground storage tank via tanker truck, so that a backup water distribution system would not have to be installed.

- Because a very large fraction of the total water supply needed in the development would be provided by the building-scale RWH systems, so “relieving” the aquifer of that routine demand, the aquifer level could be somewhat “preserved”, so that the water would indeed be there if needed as supplemental supply during prolonged drought periods.
- Note that buildings to be served by building-scale RWH may be started, and marketed, without having to wait for the several month (minimum) permitting process for the PWSS, and for getting those facilities designed, bid and installed, so likely imparting a “time value of money” benefit.

I trust you can see the “charm” of such a scheme, in particular from the developer’s standpoint due to the low up-front cost of water supply infrastructure, and the minimization of regulatory lead time in order to begin selling lots and building on them. Again, this could be so without regard to the overall intensity of development proposed on this property ... within limits, of course; there’d have to be room for the larger footprints and such, but the overall development intensity would have to become rather “extreme” for that to functionally come into play, seems to me.

For the “waste” water system, the idea would be to creatively plat lots for “condo” development, with the total amount of development on any given lot imparting a design flow rate <5,000 gallons/day (gpd), so that the “waste” water systems could all be “septic” systems, or On-Site Sewage Facilities (OSSFs) in rules-speak, permitted at Hays County – nominally a 30-day permitting time – rather than TCEQ-permitted “municipal” systems, entailing a year or more to permit and a whole lot more paperwork, thus more cost for technical and legal services. This scheme would entail:

- Determining the building types desired to be developed and how they may be arrayed on the property. Then gathering them into groups that would create a total design flow rate <5,000 gpd, and platting lots surrounding each such group of buildings. All of the buildings would be under “condo” ownership, with the ground being owned in common. These are the conditions required in order to use OSSFs for the “waste” water system, since TCEQ kicked “cluster systems” out of Chapter 285, the on-site wastewater rules, in 2003, and has never seen fit to formulate a “middle way”, short of the far more onerous “municipal” permitting process, in the 20 years since.
- Presently, Hays County rules include a requirement that each lot covers an area large enough so that the total design flow rate would not exceed the equivalent of 300 gpd/acre. So for a 5,000 gpd system, the minimum lot size would have to be $5000/300 = 16.67$ acres. 5,000 gpd would cover 27 2-bedroom houses or 20 3-bedroom houses, so even with this restriction, a net density of over one house per acre would be attained.
- In working on another project that was proposing to similarly use OSSFs for the “waste” water service, it was floated to Hays County that the 300 gpd/acre requirement might be applied over the whole property, rather than imposed lot by lot. This would allow using non-lotted property – e.g., the floodplain on the property in question – as a part of the required area, and so allow denser development on the lots. Hays County had responded favorably to that proposal. (Unfortunately that project “died” due to the Dripping Springs development moratorium, so that concept was never tested and confirmed.)
- Presuming that the 300 gpd/acre rule did not limit the total number of units that could be installed on this property “too severely”, or if that rule could be “excused”, then it’s pretty clear that this “waste” water service plan would entail no up-front costs to the overall project developer, other than what Hays County would require during the platting process to show OSSFs could provide the required level of service. This can very readily be done by posing a standard OSSF design using the High Performance Biofiltration Concept (recirculating packed-bed filter) treatment unit, which would disperse the high quality effluent this unit would consistently and reliably produce in subsurface drip irrigation fields. This is the most environmentally benign sort of system that could be practically employed in such a distributed management system.

- Each lot owner – which may be the overall project developer, or the developer(s) who would build on each lot – would then plan, design and install the OSSF to serve the buildings on that lot. This process would entail fairly minimal lead time, after the lots had been platted and made available for building upon.
- The drip fields would ideally be arrayed to irrigate the highest value landscaping on each lot, likely to be grounds beautification around each building, or high value common areas, like a park or “common”. Note it is not at all uncommon to import soil to create “improved” soils for landscaping around houses and other buildings in the Hill Country, so we’d be placing the drip fields in the best soils on the property. In any case, the soil depth would have to be shown to meet the rules over the whole field area, something that’s not very well “guaranteed” in land application systems under the municipal permitting process.
- By these means, most (all?) of the grounds irrigation would be taken off the potable supply, so rather drastically conserving the overall level of water use on this property.
- There would of course be a management system created. Formally, each OSSF would have to be covered by a maintenance contract with a TCEQ-qualified/licensed maintenance company. In practice it would be most rational to have one “master contract” that would maintain all the OSSFs on the whole development, making this essentially the “wastewater utility” covering this development. By assuring that this management system was organized and run to properly oversee the OSSFs, long-term good performance could be practically assured.
- It may be that some buildings – like the commercial buildings that it is understood would be part of the desired development plan – could implement a flush-water recycling scheme, further saving water supply. In such buildings, only a small “residual” wastewater flow would be created by water used in lavatories, slop sinks, break room sinks, etc., and that flow could be readily dispersed over the landscaping around such buildings. Again optimally focused on maintaining the highest value landscaping, the grounds beautification. That sort of scheme was discussed in Appropriate Technology. [link]
- Finally, by not collecting all the “waste” water in a conventional centralized scheme, we’d avoid the environmental liabilities inherent in that configuration, due to line leaks, manhole overflows, lift station bypasses, and from the disruption inherent in installing conventional sewer lines. So this distributed scheme is inherently more environmentally benign simply by how it is arrayed.

I trust you can also appreciate the “charm” of this scheme for the project developer, as it minimizes up-front costs for the “waste” water infrastructure and time delays for dealing with regulatory processes.

Part and parcel of the overall development scheme would be a very robust LID/green infrastructure stormwater management scheme. This would be designed to retain at least as much water on the land as infiltrates, rather than runs off, on the “native” site, so as not to “desertify” the land by draining “away” the increased runoff imparted by covering the land with impervious surfaces and otherwise modifying the land surface. By this means, water quality impacts of stormwater runoff would also be practically minimized. That scheme could be rather readily designed into each lot as it is developed, so here also entailing minimal lead time to design and install. That strategy would minimize any need for end-of-pipe ponds and such, which may also pose an up-front cost and time delay that could be avoided.

By going with this sort of sustainable water infrastructure scheme, society would be saving a lot of water – that is my main interest, indeed getting society to create more sustainable water systems, to start planning beyond “one more generation” – while saving the developer *time and money*.

Unfortunately, when presented with this “total One Water” scheme, Walters and Milestone proved to be strangely uninterested in saving time and money, and as far as I know are still pursuing utility extensions from the City of Austin. But you can see the potential here for a development scheme that would indeed

save time and money for the developer, save water for society, and would significantly blunt water quality degradation. It also avoids sprawl-inducing utility extensions, the cost of which would mitigate for more, and more intense, development, exactly the outcome we'd like to avoid on this land. This sort of win-win-win might provide a template for how the environmentally sensitive Hill Country is to be developed, again noting that in the current market in this region, a whole lot of it *will* be developed.

So I would urge SBCA, SOS, GEAA and their allies to consider all this, to move off top dead center, and urge developers to be a bit more creative and innovative than going with "1-acre lots on septic."

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 7:55 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001

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: barbaradwhite@gmail.com <barbaradwhite@gmail.com>
Sent: Friday, July 19, 2024 7:34 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

REGULATED ENTY NAME HAYS COMMONS WASTEWATER TREATMENT PLANT

RN NUMBER: RN111773867

PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

COUNTY: HAYS

PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Barbara Dare White

EMAIL: barbaradwhite@gmail.com

COMPANY:

ADDRESS: 3312 DOOLIN DR APT B
AUSTIN TX 78704-5965

PHONE: 5127674015

FAX:

COMMENTS: Please deny Milestones request to dump sewage into our precious and sensitive Edwards Aquifer. Water quality is way more of a priority for the citizens who would be affected by this, not the desires of some developer.

9

TCEQ Registration Form

July 16, 2024

Hays Commons Development, Inc.

PERMIT NO. WQ0016373001

PLEASE PRINT

Name: Keith Whittington

Mailing Address: 13511 Carpenter Ln

Physical Address (if different): _____

City/State: MANCHEMA TX Zip: 78652

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

Email: Keith@Lynx Property Services. com

Phone Number: (512) 784-7521

- 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.

Jennifer Cox

From: PUBCOMMENT-OCC
Sent: Monday, July 29, 2024 3:07 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001
Attachments: SBCA Statement on Hays Common TLAP - WQ0016373001 - 07.25.24 - corrected.pdf

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

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From: brian@savebartoncreek.org <brian@savebartoncreek.org>
Sent: Friday, July 26, 2024 12:38 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

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PERMIT NUMBER: WQ0016373001

DOCKET NUMBER:

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PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Brian Zabcik

EMAIL: brian@savebartoncreek.org

COMPANY: Save Barton Creek Association

ADDRESS: 15241 STATE HIGHWAY 53 UNIT 670
TEMPLE TX 76501-3490

PHONE: 7182880341

FAX:

COMMENTS: The attached file corrects typos in our previous filing.



Submitted to the Texas Commission on Environmental Quality on July 25, 2024

Statement by Save Barton Creek Association in opposition to WQ0016373001, an application for a Texas Land Application Permit (TLAP) for Hays Common

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Unique nature of the Edwards Aquifer

In order to discuss the problems with the Hays Common draft permit, it helps to restate what makes the Edwards Aquifer special, and why special rules have been set for it. Unlike other aquifers located in denser media that provide some filtration of pollutants, the Edwards is located in karst limestone that provides none. Water drawn from the Edwards has historically been of high quality, which is why so many wells have been drilled in it.

Because the Edwards Aquifer is a source of drinking water for millions of Texans, TCEQ has taken steps to protect it. In 1996 the commission banned new wastewater discharge permits (TPDES) over the aquifer's Recharge Zone, while continuing to allow limited use of wastewater irrigation permits (TLAP).

However, TCEQ has only permitted one TLAP facility over the Edwards Aquifer. TLAP number WQ0014077001, which was first issued in 2003 and renewed in 2015, serves The Park at Barton Creek, an office complex on the southern corner of Loop 1 and Loop 360 in southwest Austin. The permit has been held by several entities, including Bradfield Family Partnership, Ltd., G&I VII Barton Creek LP, Prentiss Properties Acquisition Partners, L.P., and Brandywine Acquisition Partners, L.P. The current owner, ATX Office Owner 1, L.P., applied for a renewal of the permit earlier this year.

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For the past year, SBCA has been trying to conduct a similar analysis on TLAP permit compliance by wastewater irrigation facilities in the Hill Country. However, we have found that this will be an impossible task because 1) TCEQ's monitoring and reporting requirements for irrigation facilities are extremely minimal compared to discharge facilities, and 2) TCEQ does not make the limited TLAP data that it collects accessible to the public.

However, it's possible that permit compliance at wastewater irrigation facilities could be worse than what SBCA found for wastewater discharge facilities. Irrigation systems are considered to be less problematic, which is why TCEQ requires less monitoring and reporting. But this means that they may have more performance failures that aren't caught.

One of the key problems that has happened at some wastewater irrigation facilities in our area is that water has been applied onto saturated fields, which then flows off as runoff. Wastewater overflow has been reported for the TLAP facilities in Belterra, Barton Creek West, and West Cypress Hills.

TCEQ has also recorded wastewater runoff for Dripping Springs' TLAP permit (WQ0014488001). On August 22, 2017, the city and the commission entered an agreed order assessing penalties based on allegations that:

During an investigation conducted on November 16, 2016, an investigator documented that the Respondent [Dripping Springs] failed to properly operate and maintain the facility in a manner to prevent an unauthorized discharge of wastewater into or adjacent to water of the state Specifically, on November 14, 2016 and November 15, 2016, an inoperable valve leading to irrigation zone Nos. 26 and 28 caused a discharge of approximately 26,000 gallons of treated wastewater to flow offsite on to adjacent properties and into a tributary of Onion Creek.

And on June 20, 2018, Dripping Springs received a notice of violation that it had failed to prevent an unauthorized discharge; failed to prevent pooling/ponding in the drip irrigation field; and failed to meet the BOD limit in its permit.

TCEQ has also found problems with the TLAP permit for The Park at Barton Creek. According to an agreed order the commission issued on October 19, 2016, the then-holder of the permit “caused, suffered, allowed, or permitted the discharge of any waste or the performance of any activity in violation of Tex. Water Code, Ch. 26, or any rule, permit, or order of the Commission.” TCEQ specifically alleged that the permit holder:

- *Failed to comply with permitted effluent limits....*
- *Failed to collect background groundwater samples from outside the influence of the effluent drip irrigation on a quarterly basis....*
- *Failed to install and properly locate three lysimeters as required by the permit.... Specifically, the lysimeters were not installed adjacent to the drip irrigation zone closest to Barton Creek. Also, only two lysimeters had been installed.*
- *Failed to submit the Soil Moisture Monitoring Plan, the Irrigation Management Plan, and the Shallow Groundwater Monitoring Plan....*

The order stated that all of these failures were documented during an investigation on April 17, 2013 — ten years after the permit for The Park on Barton Creek was issued. TCEQ levied a fine of \$18,150 against the then-holder of the permit.

Problems with the Hays Common draft permit

While Hays Common TLAP would not be the first to be issued in the Edwards Aquifer Recharge Zone, it would be the most significant by far. It would have a maximum treatment volume of 150,000 gallons of wastewater per day — more than 40 times more than the volume for The Park at Barton Creek. And while no groundwater wells in the Edwards Aquifer are located near The Park at Barton Creek, Hays Common would be upslope from wells that serve hundreds of residents in northern Hays and southern Travis Counties.

Yet the draft permit that TCEQ has prepared for Hays Common has even fewer requirements to protect the Recharge Zone than the permit for The Park at Barton Creek. There is little evidence that TCEQ’s staff tried to draft a unique permit for a unique location. Of the 46 pages in the draft permit, 17 pages — almost a third — are devoted to formulaic language about sludge treatment and management. By contrast, the permit only includes a handful of lines that address the most worrisome problem that could happen with the Hays Common facility — wastewater runoff from saturated irrigation fields that could then seep into the Edwards Aquifer through the more than 20 potential recharge features in and around the fields.

This is the extent of the monitoring to prevent runoff that the permit would require:

The physical condition of the spray irrigation fields will be monitored on a weekly basis when the fields are being utilized for the purpose of wastewater irrigation and shall not occur within 24 hours following a rainfall event. Any areas with problems such as surface runoff, surface erosion, stressed or damaged vegetation will be recorded in the field log kept onsite and corrective measures will be initiated within 24 hours of discovery.

Irrigation practices shall be designed and managed as to prevent ponding of effluent or contamination of ground and surface waters and to prevent the occurrence of nuisance conditions in the area. Crops shall be established and well maintained in the irrigation area throughout the year for effluent and nutrient uptake by the crop and to prevent

pathways for effluent surfacing. Tailwater control facilities shall be provided as necessary to prevent the discharge of any effluent from the irrigated land.

...[T]he permittee shall design, construct, and operate the wastewater treatment plant such that there are no bypasses of the treatment facilities or any discharges of untreated or partially treated wastewater.

This is the extent to which the permit would try to prevent runoff from seeping into the aquifer:

A wastewater treatment plant unit shall not be located on or within 250 feet of a cave, sinkhole, or other sensitive karst feature unless authorized by the Executive Director.

If an emerging seep occurs within an irrigation field, its presence should be reported ... [to TCEQ] within 48 hours of discovery.

The Geological Assessment must include the best management practices implemented that will prevent impact to recharge features from wastewater application and prevent groundwater contamination.

The permittee shall buffer all sensitive recharge features from wastewater irrigation as shown in the Site Map.... Tailwater controls such as earthen berms shall be constructed and maintained to divert flows from the buffers.

These requirements are substantially less than what was required for the TLAP permit for The Park at Barton Creek, even though its discharge volume is far smaller. SBCA believes that the minimal requirements for the Hays Common TLAP are completely inadequate to prevent potential contamination of the Edwards Aquifer by wastewater overflow from Hays Common.

Because neither TCEQ nor the applicant have presented maps that show the full interaction of Hays Commons' wastewater system with the Edwards Aquifer or with Little Bear Creek (a tributary of Onion Creek, a pristine stream), SBCA has prepared our own map, shown as Attachment A. And to further reinforce the sensitive nature of this area, we also want to show the location of Hays Common with respect to the City of Austin's Water Quality Protection Lands, shown in blue on Attachment B

In summary, the draft permit for Hays Common is inadequate to protect the Edwards Aquifer and surrounding features, and SBCA asks TCEQ to withdraw it.

Respectfully submitted by:









Brian Zabeik
Advocacy Director
Save Barton Creek Association
brian@savebartoncreek.org

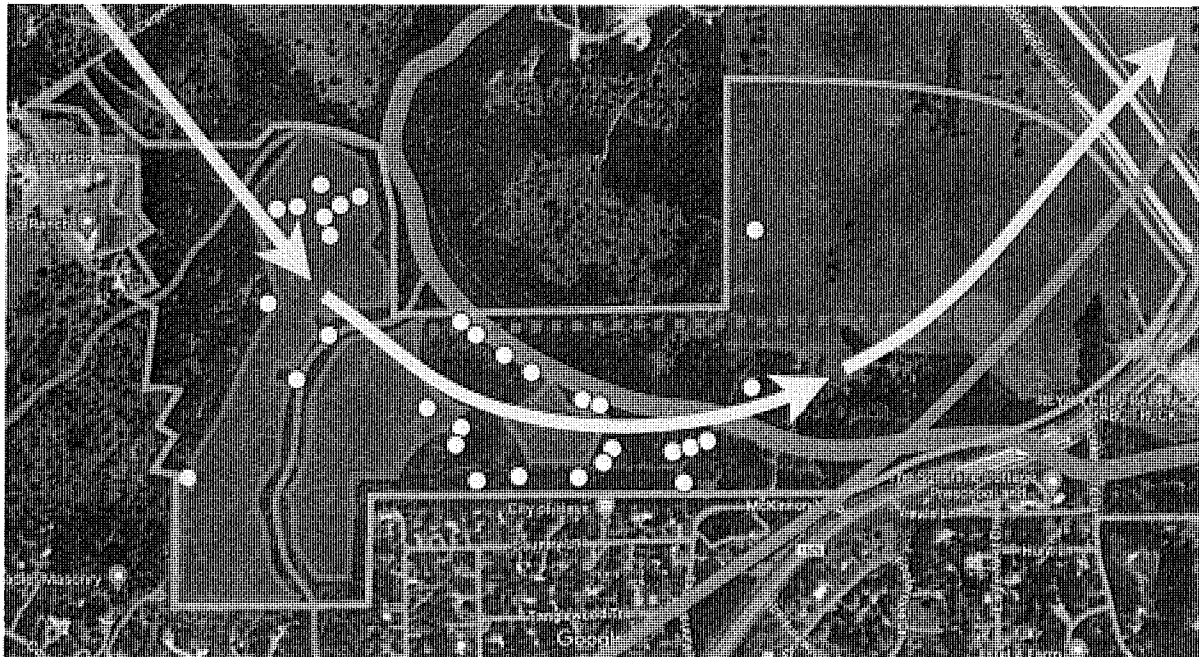
Attachment A:

Potential wastewater impacts of Hays Common

Hays Common: Wastewater Impacts

SBCA

- | | |
|---|--|
|  Hays Common property boundary |  Little Bear Creek and tributaries |
|  Wastewater treatment plant |  Edwards Aquifer underground water flow direction |
|  Wastewater pipeline |  Edwards Aquifer Recharge Zone boundary |
|  Wastewater irrigation fields |  Edwards Aquifer potential recharge features |



Attachment B

Hays Common (yellow) and Austin Water Quality Protection Lands (blue)



Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Thursday, July 25, 2024 9:05 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016373001
Attachments: SBCA Statement on Hays Common TLAP - WQ0016373001 - 07.25.241.pdf

Jesús Bárcena
Office of the Chief Clerk
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Office Phone: 512-239-3319

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From: brian@savebartoncreek.org <brian@savebartoncreek.org>
Sent: Thursday, July 25, 2024 5:01 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016373001

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DOCKET NUMBER:

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PRINCIPAL NAME: HAYS COMMONS DEVELOPMENT INC

CN NUMBER: CN606161412

NAME: Brian Zabcik

EMAIL: brian@savebartoncreek.org

COMPANY: Save Barton Creek Association

ADDRESS: 15241 STATE HIGHWAY 53 UNIT 670
TEMPLE TX 76501-3490

PHONE: 7182880341

FAX:

COMMENTS: Please see attached file.



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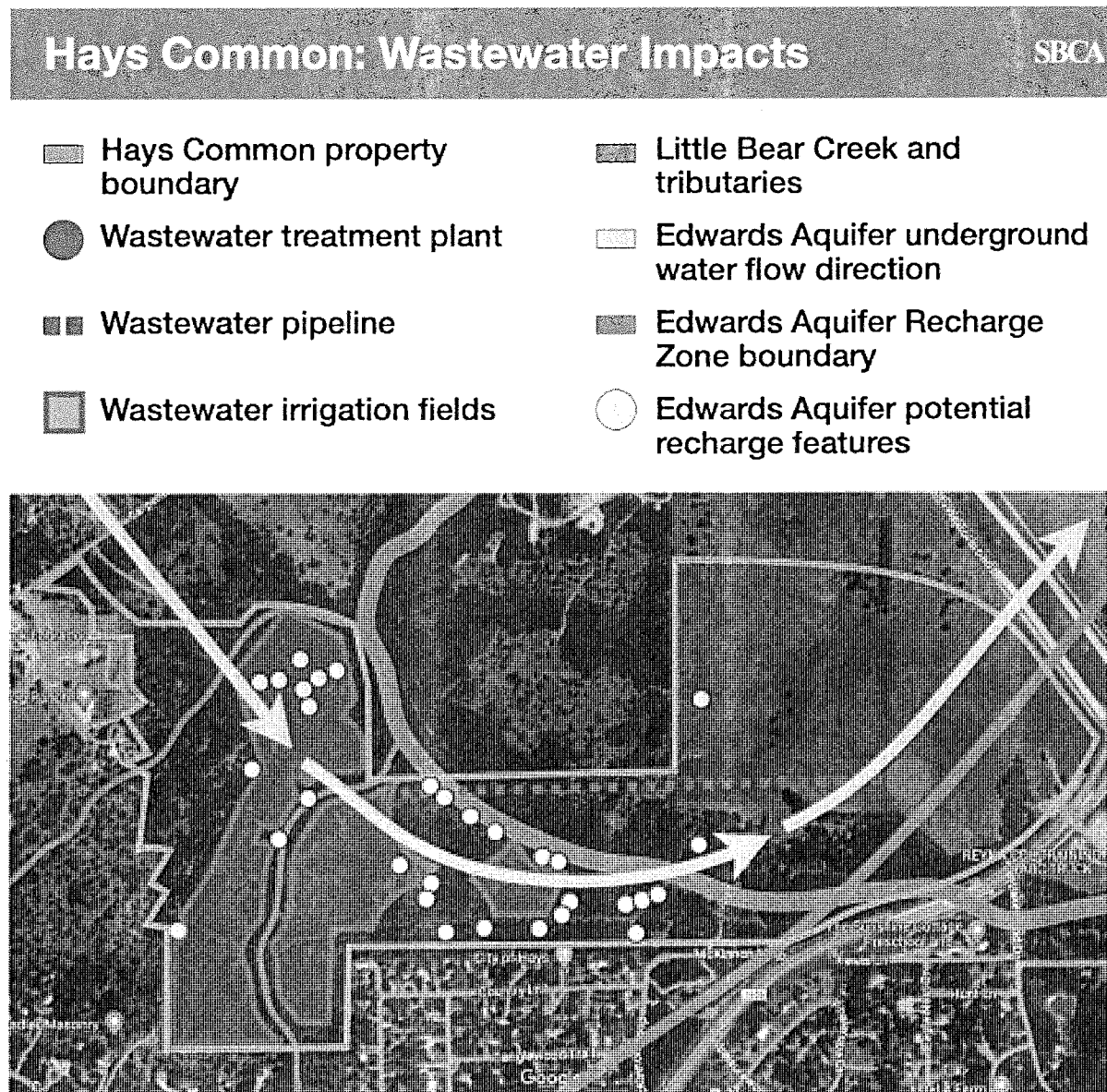
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Respectfully submitted by:

Brian Zabcik
Advocacy Director
Save Barton Creek Association
brian@savebartoncreek.org

Attachment A:

Potential wastewater impacts of Hays Common



Attachment B

Hays Common (yellow) and Austin Water Quality Protection Lands (blue)

