TCEQ Interoffice Memorandum

To: Municipal Permits Team
Wastewater Permitting Section

Thru: Brad Caston, Standards Implementation Peer Review
Water Quality Assessment Section
Water Quality Division

From: M. A. Wallace, PhD, Standards Implementation Team
MAW 7/7/22
Water Quality Assessment Section
Water Quality Division

Date: 6/30/2022

Subject: Preserve Hutto, LLC; Permit No. WQ0016145001
New; Application Received: 4/8/2022

The discharge route for the above referenced permit is via pipe to an unnamed tributary, thence to Wilbarger Creek, thence to Colorado River Above La Grange in Segment 1434 of the Colorado River Basin. The designated uses and dissolved oxygen criterion as stated in Appendix A of the Texas Surface Water Quality Standards (30 Texas Administrative Code §307.10) for Segment 1434 are primary contact recreation, public water supply, exceptional aquatic life use, and 6.0 mg/L dissolved oxygen.

Since the discharge is directly to an unclassified water body, the permit action was reviewed in accordance with 30 Texas Administrative Code §307.4(h) and (l) of the 2018 Texas Surface Water Quality Standards and the TCEQ's implementation procedures for the standards. Based on a receiving water assessment and/or other available information, a preliminary determination of the aquatic life uses in the area of the discharge impact has been performed and the corresponding dissolved oxygen criterion assigned.

Unnamed tributary; limited aquatic life use; 3.0 mg/L dissolved oxygen.

In accordance with 30 Texas Administrative Code §307.5 and the TCEQ implementation procedures (June 2010) for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. This review has preliminarily determined that no water bodies with exceptional, high, or intermediate aquatic life uses are present within the stream reach assessed; therefore, no Tier 2 degradation determination is required. No significant degradation of water quality is expected in water bodies with exceptional, high, or intermediate aquatic life uses downstream, and existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The Houston Toad (*Bufo houstonensis* Sanders), an endangered aquatic-dependent species of critical concern, occurs within the Segment 1434 watershed as well as the United States Geological Survey hydrologic unit code 12090301. This determination is based on the United States Fish and Wildlife Service's (USFWS) biological opinion on the State of Texas authorization of the Texas Pollutant Discharge Elimination System (TPDES; September 14, 1998, October 21, 1998 update). To make this determination for TPDES permits, TCEQ and EPA only consider aquatic or aquatic dependent species occurring in watersheds of critical

concern or high priority as listed in Appendix A of the USFWS biological opinion. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion. Species distribution information for the Segment 1434 watershed is provided by the United States Fish and Wildlife Service and documents the Houston toad's presence solely in the vicinity of Alum Creek, Copperas Creek, Gills Branch, Piney Creek, Price Creek and Puss Hollow in Bastrop County, which are located in separate sub-watersheds from the facility associated with this permit action. Based upon this information, it is determined that the facility's discharge is not expected to impact the Houston. Additionally, the Barton Springs salamander (*Eurycea sosorum*), an endangered, aquatic species, is known to occur in Travis County, but its distribution is limited to Barton Springs and adjacent springs and their outflows in Zilker Park, downtown Austin, Texas. The permit does not require EPA review with respect to the presence of endangered or threatened species.