



ENVIRONMENTAL BOARD RESOLUTION 10012008-4f-001

Date: October 1, 2008

Subject: Texas Commission on Environmental Quality Petition Resolution

Motioned By: Mary Ann Neely

Seconded By: Phil Moncada

Recommendation

The Environmental Board made a Resolution to support the Texas Commission on Environmental Quality Petition Resolution.

Rationale

Not Applicable.

Vote 5-0-0-0

For: Anderson, Beall, Maxwell, Moncada and Neely

Against: None

Abstain: None

Absent: Ahart

Vacant: 1

Recuse:

Approved By:

Dave Anderson P.E., CFM, Chair

Texas Commission on Environmental Quality Petition

RESOLUTION NO. EB 10012008-4f-001

A RESOLUTION OF THE CITY OF AUSTIN'S ENVIRONMENTAL BOARD IN SUPPORT OF A RULE-MAKING PETITION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR A RULE TO PROHIBIT DIRECT DISCHARGE OF TREATED EFFLUENT INTO THE BARTON CREEK AND UNION CREEK WATERSHEDS IN THE CONTRIBUTING ZONE OF THE BARTON SPRINGS SEGMENT OF THE EDWARDS AQUIFER

WHEREAS, the Barton Springs Segment of the Edwards Aquifer (Aquifer) is a unique system of water-bearing formations in Central Texas, wherein surface waters are rapidly transported via caves, fractures, and permeable limestone to the Aquifer and subsequently discharged through spring flow and well pumpage; and

WHEREAS, the Aquifer is either a sole source or primary source of drinking water for over fifty thousand people and is a vital resource to the general economy and welfare of the City of Austin and the State of Texas; and

WHEREAS, the complex of springs known as Barton Springs is the direct natural outlet for water flowing through the Aquifer; and

WHEREAS, Barton Springs provides the only known habitat for the endangered Barton Springs salamander, *Eurycea sosorum*, and the Austin blind salamander, *Eurycea waterlooensis*, a candidate for endangered listing under the federal Endangered Species Act; and

WHEREAS, creek flow from the Barton Creek and Onion Creek watersheds directly and rapidly recharge the Barton Springs segment of the Edwards Aquifer, offering very little opportunity for assimilation and dilution of contaminants in the subsurface before discharging at Barton Springs; and

WHEREAS, direct discharges into the Barton Creek and Onion Creek watersheds in the Contributing Zone of the Aquifer, which are typically dry for most of the year, could create effluent-dominated streams directly up-gradient of the Recharge Zone of the Aquifer; and

WHEREAS, currently, there are no active Texas Pollution Discharge Elimination System permitted point-source wastewater discharge outfalls that discharge directly into the Barton Creek or Onion Creek watersheds and all other developments in this region

successfully use an alternative "no discharge" disposal method to dispose of treated effluent; and

WHEREAS, City of Austin and other entities' scientific analysis and modeling efforts have demonstrated that discharge of treated sewage to these waterways from even a properly operating advanced treatment facility will cause degradation of contributing zone creeks and subsequently the Aquifer, Barton Springs, and its endangered species habitat; and

WHEREAS, the Texas Commission on Environmental Quality (TCEQ) mission statement provides that TCEQ strives to protect our state's natural resources consistent with sustainable economic development; and

WHEREAS, TCEQ's philosophy states that to accomplish their mission the agency will base decisions on the law, common sense, good science, and fiscal responsibility; and

WHEREAS, TCEQ is a regulatory body having rule-making authority and enforcement of the Edwards Rules for development proposed over the Edwards Aquifer and of the Watershed Rules for watercourses that supply water to the Edwards Aquifer.

NOW, THEREFORE BE IT RESOLVED that the City of Austin's Environmental Board does hereby adopt this Resolution to recommend that the Austin City Council support a rule-making petition to the Texas Commission on Environmental Quality to prohibit direct discharges of treated effluent to the Barton Creek and Onion Creek Watersheds in the Contributing Zone of the Barton Springs segment of the Edwards Aquifer.

BE IT RESOLVED BY THE CITY OF AUSTIN ENVIRONMENTAL BOARD:

In Favor 5

Opposed 0

PASSED AND APPROVED THIS 1st DAY OF OCTOBER, 2008.

ATTEST: _____



pc.

**David J. Anderson, P. E., CFM
Environmental Board Chair**

Absent: Ahart, Beall and Dupnik

Recused:

Approved By:

A handwritten signature in black ink, appearing to read "D Anderson", followed by the letters "P.E." in a smaller font.

Dave Anderson P.E., CFM
Environmental Board Chair