

Edwards Aquifer Protection Program Public Comments

Comment Topic	Number of Comments Received	Year Received	Commenter(s)	TCEQ Action
Drinking Water <ul style="list-style-type: none"> • Taste Complaint of Fluoride in Water Supply • Extension of Water Lines • Restriction Of Groundwater Use 	3	04, 05	Smart Growth San Antonio; 2 individuals	Issues related to the Drinking Water comments are outside the jurisdiction of the TCEQ Edwards Aquifer Protection Program's (EAPP) regulatory authority.
Wastewater / On Site Sewage Facilities <ul style="list-style-type: none"> • Permit coordination between OSSF permitting staff and EAPP permitting staff • Additional training for OSSF professionals working over the regulated zones • Golf course effluent irrigation and pest management issues • Effluent irrigation standards 	28	99, 02, 04	Take Back Texas; SAWS; USFWS; COA; SOS Alliance; Greater Edwards Aquifer Alliance; Aquifer Guardians in Urban Areas; 2 individuals	The TCEQ EAPP will consider these items in the next rule revision project.
Water Quality Standards <ul style="list-style-type: none"> • Re-evaluate current water quality effluent and performance standards(esp. related to golf course and OSSF systems) • Consideration of Impervious cover limits 	7	99, 02, 04, 05	COA; Barton Springs Edwards Aquifer Conservation District; SOS Alliance; Greater Edwards Aquifer Alliance; Aquifer Guardians in Urban Areas; 1 individual	The TCEQ EAPP will consider these items in the next rule revision project.
Endangered Species Act / Optional Measures <ul style="list-style-type: none"> • Sealing of sensitive features • Consideration of Impervious cover limits and setback requirements; • Takings of Endangered Species 	24	99, 01, 02, 04, 05	USFWS; COA; Take Back Texas; SOS Alliance; Greater Edwards Aquifer Alliance; Aquifer Guardians in Urban Areas; 1 individual	The TCEQ EAPP will consider these items in the next rule revision project. Some of the issues related to comments on the Taking of Endangered species have been addressed through the "Optional Water Quality Measures." (Appendix A of EAPP Technical Guidance Manual)

<p>Adaptive Management</p> <ul style="list-style-type: none"> • Additional studies needed • Monitoring needed • Impact studies recommended 	14	99, 01, 02, 04, 05	Take Back Texas; Barton Springs Edwards Aquifer Conservation District; Edwards Aquifer Authority; USFWS; COA; Smart Growth San Antonio; 2 individuals	The TCEQ EAPP will consider these items in the next rule revision project. Some of the issues related to comments on Adaptive Management have been addressed through the “Optional Water Quality Measures.” (Appendix A of EAPP Technical Guidance Manual)
<p>Quarries</p> <ul style="list-style-type: none"> • Clarify permitting process for Quarries and Rock Crushers • Setup an Advisory Committee on Rock Crushers and Quarries 	6	04	Spear’s Ranch on Salado Creek Property Owners Association	The TCEQ EAPP will consider these items in the next rule revision project.
<p>Petroleum Storage Tanks USTs; ASTs;</p> <ul style="list-style-type: none"> • Tertiary containment • Restricted activity 	15	99, 01, 02, 05	Edwards Aquifer Authority; City of SA; SAWS; SOS Alliance; Greater Edwards Aquifer Alliance; 1 Individual	The TCEQ EAPP will consider these items in the next rule revision project.
<p>Legal Issues</p> <ul style="list-style-type: none"> • Impervious Cover • Authority of EAA • Delegation of EAPP • Property Rights • Financial Assurance • Water Rights • Need for stricter rules • Interbasin Transfers 	39	99, 01, 02, 04, 05	Take Back Texas; SAWS; Edwards Aquifer Authority; Real Estate Council of SA; UTSA Progressive Student Organization; Smart Growth San Antonio; Barton Springs Edwards Aquifer Conservation District; SOS Alliance; Greater Edwards Aquifer Alliance; Aquifer Guardians in Urban Areas; Regional Clean Air and Water Association; San Geronimo Watershed Alliance; Spear’s Ranch on Salado Creek; 3 individuals	The TCEQ EAPP will consider these items in the next rule revision project.
<p>Hazardous Materials / Spill Response</p> <ul style="list-style-type: none"> • Development of Standard Operating and Reporting Procedures for Firefighting activities over the 	10	04, 05	UTSA Progressive Student Organization; 2 individuals	The TCEQ EAPP will consider these items in the next rule revision project.

<p>Recharge Zone</p> <ul style="list-style-type: none"> Limiting the use of Hazardous Materials over the Recharge Zone 				
<p>EAPP Administrative Issues</p> <ul style="list-style-type: none"> Geologic Assessment Improvements Inclusion of Local Entities in the plan review process Need to Increase Funding and Staffing Levels in the EAPP Accounting of EAPP through an Annual Expense Report Request for more of an Investigative Presence during and post construction Impervious Cover Limits Development of an operational Permit for Permanent BMPs. Public Education and Outreach More responsive to Comments form the Public Hearings Address this one with a TCEQ Action comment Prohibit/Limit the Sealing of Sensitive Features Develop a GIS Inventory of BMPs and Sealed Features Highway Expansion (widening of roads) should consistently go through full plan review process Develop protocol and certification program for Water Quality Basin Maintenance Revise rules to be more environmentally protective Establish an Inspection Fee program Land Use restrictions over the recharge zones (Limit the number 	<p>113</p>	<p>99, 01, 02, 04, 05</p>	<p>Barton Springs Edwards Aquifer Conservation District; Edwards Aquifer Authority; City of SA; SAWS; Real Estate Council of SA; Friendship Alliance; SOS Alliance; Regional Clean Air and Water Association; COA; Greater Edwards Aquifer Alliance; Aquifer Guardians in Urban Areas; Take Back Texas; USFWS; GBRA; smart growth in SA; 15 individuals</p>	<p>The TCEQ EAPP has addressed comments associated with the distribution of EAPP plans to local jurisdictions and the annual expense reporting in previous rule revisions. Rule revision was in response to HB 2912 Article 10. Added Texas Water Code sections 26.051 (Annual Expense Report) and 26.137 (30-day Comment period on plans)</p> <p>In FY07, the TCEQ assigned four additional investigators to the EAPP. In addition, the agency has requested additional full time resources for EAPP investigations. The increased staff will provide opportunities for better plan reviews, enforcement presence, and oversight of the program.</p> <p>The other items listed in this section will be considered during the next rule revision project.</p>

<p>of gas stations, golf courses, high density developments, mining activities, etc.)</p> <ul style="list-style-type: none"> • Water Well Disclosures • Management of Nutrients on golf courses and private Lawns 				
<p>EAPP Technical Guidance Manual Issues</p> <ul style="list-style-type: none"> • Revise to include provisions for controlling chemical fertilizer use • Revise current Performance Standard 	8	99, 01, 02	<p>Real Estate Council of SA; COA; Barton Springs Edwards Aquifer Conservation District; SOS Alliance; Greater Edwards Aquifer Alliance; Aquifer Guardians in Urban Areas; 2 individuals</p>	<p>The TCEQ EAPP will consider these items in future revisions of the Technical Guidance Manual. The Technical Guidance Manual was last revised in July 2005</p>
<p>EAPP Best Management Practices Issues</p> <ul style="list-style-type: none"> • The current performance standards of BMPS should be expanded to include additional parameters. (Hydrocarbons, Heavy Metals, and Pesticides) • Revision to Volume calculations in the Design of Permanent BMPs • Use of additional BMPs to be more protective • Revisit the permanent BMP Exemption for sites with less than 20% Impervious Cover Limit • Require vegetative buffer zones for sensitive features and streams 	57	99, 01, 02, 04, 05	<p>Barton Springs Edwards Aquifer Conservation District; Edwards Aquifer Authority; City of SA; SAWS; Real Estate Council of SA; Friendship Alliance; SOS Alliance; COA; Greater Edwards Aquifer Alliance; Aquifer Guardians in Urban Areas; Take Back Texas; USFWS; Smart Growth in SA; UTSA Progressive Student Organization; 4 individuals</p>	<p>The TCEQ EAPP will consider these items in the next rule revision project. Some of the issues related to comments on buffer zones and erosion control have been addressed through the “Optional Water Quality Measures.” (Appendix A of EAPP Technical Guidance Manual)</p>
<p>EAPP Enforcement Issues</p> <ul style="list-style-type: none"> • More program Oversight • More inspections • More resources added through additional staff and contracting out certain duties 	12	02, 04, 05	<p>Barton Springs Edwards Aquifer Conservation District; SOS Alliance; Greater Edwards Aquifer Alliance; UTSA Progressive Student Organization; COA; 3 individuals</p>	<p>In FY07, the TCEQ assigned four additional investigators to the EAPP. In addition, the agency has requested additional full time resources for EAPP investigations. The increased staff will provide opportunities for better plan reviews, enforcement presence, and oversight of the program.</p>

<p>EAPP Mapping Issues</p> <ul style="list-style-type: none"> • Consider input from other Geologists and professional organizations • Vulnerability Mapping 	6	01, 02, 05	SAWS; Murphy Engineering Co; Horizon Environmental Services; Barton Springs Edwards Aquifer Conservation District; USFWS; COA	In FY 05, the TCEQ EAPP revised the geologic map of the regulated zones based on the petition from the Barton Springs Edwards Aquifer Conservation District with input from other geologists. Areas outside of the petition area were also revised. The mapping of areas potentially vulnerable to impacts will be considered.
<p>EAPP Miscellaneous Issues</p> <ul style="list-style-type: none"> • Establishment and increased authority of Groundwater Conservation Districts over the aquifer region 	7	99, 04, 05	Smart Growth San Antonio; 3 individuals	Issues related to the establishment of Ground Water Conservation Districts are outside the jurisdiction of the Edwards Aquifer Protection Program's (EAPP) regulatory authority.