

September 13, 2016

Re: Cibolo Valley Ranch CCN Amendment (Agenda Item 23)

Chairman Guerra and members of the SAWS Board,

The Greater Edwards Aquifer Alliance supports approval of Agenda item #23, with the addition of recommendations as outlined below:

1. We would like to see beneficial reuse (TLAP) rather than direct discharge of effluent which will eventually reach Cibolo Creek. Because Cibolo Creek is a major Edwards Aquifer Recharge feature, and due to potential negative impacts on privately owned wells located along the discharge route, we believe that direct discharge is not a preferred option unless the effluent were to be treated to drinking water standards.
2. The South Central Water Company permit authorizes discharge of 500,000 gallons of sewage effluent directly into the Cibolo Creek every day. As you are well aware, the Cibolo is a known recharge feature. At one point South Central Water Company tried to amend their permit to allow for discharge of 2,250,000 gallons of sewage effluent per day. Mayor Krawietz of Bulverde opposed this amendment, and South Central Water Company (SCWC) withdrew the amendment. If SAWS releases their CCN, we want to be absolutely certain of a prohibition against South Central Water Company, or any future owner, in applying for an amendment to increase the amount of authorized discharge.

Our member groups in the Bulverde area, who will be impacted by this project, believe that if SAWS does not release the CCN it is unlikely that SCWC will build a plant for the full authorized 500,000 gallons per day of sewage effluent, thus minimizing treatment of raw sewage in close proximity to the Edwards Aquifer Recharge Zone (EARZ). They feel that the 200,000 gallons per day as needed for the current SCWC service is preferable to the additional 300,000 gallons per day that would be discharged through this agreement.

Citizens impacted by the project also feel that SAWS will be more likely to comply with TCEQ regulations than SCWC, as they have observed numerous problems with sewage infrastructure in their area. For example: At the Johnson Ranch 30,000 gallons of raw sewage was leaked from a lift station on the north side of the development in October 2015. In March and August 2016 the TCEQ cited the main developer of the Johnson Ranch, DHJB Development, LLC, with unauthorized discharges wastewater. Attached is the latest TCEQ investigation report where DHJB is cited with an additional Notice of Enforcement for problems at a raw sewage lift station and the sewage treatment plant. Citizens

feel that a governmental body, such as SAWS, is more likely to act responsibly, and prefer the option of SAWS treating raw sewage and discharging sewage effluent at the SAWS treatment plants, well away from the recharge zone, instead of directly adjacent to it. If the CCN is released, South Central will be treating that same raw sewage in very close proximity to the recharge zone and will be releasing sewage effluent almost directly into the recharge zone.

Impacted GEAA members are concerned about the prospect of eutrophication and its impacts on existing Edwards and Trinity Wells, especially in light of the many pending and existing permits to discharge sewage effluent directly into the Cibolo and its tributaries in proximity to this project.

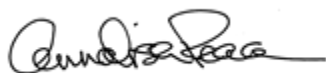
We appreciate the conditions included in this agreement to amend SAWS CCN, including requirements that the applicant will follow SAWS' aquifer protection standards; that only residential development will be allowed within the amended area, with impervious cover restricted to 40%; that the creek proper and 100 year floodplain will be excluded from final impervious cover calculation of 40%; that TCEQ EARZ Best Management Practices will apply to the entire tract; that SAWS retains approval authority for State's required Water Pollution Abatement Plan to be submitted by the developer; that effluent will be treated to a higher standard than required by state law; that the collection system should meet or exceed SAWS standards within the CVR Tract; and that SCWC will not amend its plant permit to seek less restrictive conditions.

GEAA feels, however, that we are in the position of damned if you do and damned if you don't. Although we realize that this is not a negotiation for a Utility Service Agreement, we feel that the negotiation on this request to amend the SAWS CCN demonstrates solid benefits that would accrue from negotiating on the conditions of new developments on the Edwards Aquifer Recharge and Contribution Zone.

It is our understanding that the issuance of a new Utility Service Agreement within the area that we are asking SAWS to exclude from your current CCN will take this option off the table. For this reason, we would be willing to submit this favorable response to this amendment on the condition that SAWS submit to TCEQ the requested (see attached) amendment to the SAWS CCN that we have been requesting for the past four years.

We realize that the Board may need more time to consider such a request, even though GEAA's request to schedule this item for discussion by the *SAWS Role in Development* subcommittee has been repeatedly postponed. We therefore recommend that you table this item until such time as recommendations 1 and 2 have been included into the conditions for the release of SAWS CCN, and/or until GEAA's requested amendment to SAWS CCN has been considered and approved - enabling you to submit both proposed amendments to the SAWS CCN to TCEQ.

Thank you for the opportunity to submit these comments,



Annalisa Peace
Executive Director