



RESOLUTION

**For opposing the Petition for Rulemaking and Repeal
Of Portions of the Provisions of 30 Texas Administrative Code Chapter 311**

Whereas, the Highland Lakes are a treasured resource for all of Texas, and particularly Central Texas, providing recreation, beauty and habitat as well as critical drinking water for many tens of thousands of people, including drinking water for some residents in Hays County; and

Whereas, recognizing the special character and regional importance of the Highland Lakes the Texas Commission on Environmental Quality (TCEQ) established a rule under Subchapters A, B, and F of Title 30 Texas Administrative Code Chapter 311 in 1986 that wastewater utilities surrounding the lakes may not discharge treated effluent into the lakes or their tributaries; and

Whereas, Hays County has actively sought to protect water sources within the county, including streams, tributaries and recharge areas, by establishing stringent development regulations, purchasing critical environmental lands, and also by protesting the discharge of effluent by utility districts or private developers into streams or other areas where water quality might be adversely affected; and

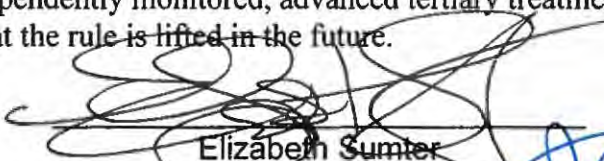
Whereas, now certain cities near the Highland Lakes propose revocation of that TCEQ rule prohibiting the discharge of treated wastewater into the Highland Lakes, and have petitioned the TCEQ to that effect; and

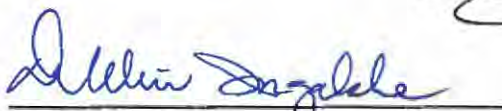
Whereas, despite the County's recognition of the good intent offered by these certain cities, Hays County staff and the Hays County Commissioners Court has some concerns that the water quality of the Highland Lakes and its tributaries could be adversely affected by the discharge of wastewater, as demonstrated by the Colorado River Environmental Model Study (CREMS) sponsored by the Lower Colorado River Authority (LCRA); and

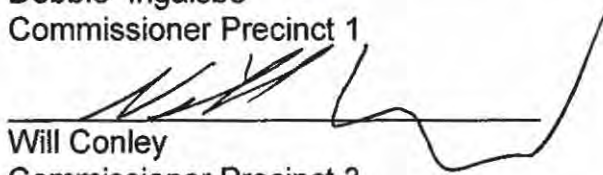
Whereas, water conservation strategies and utilization of beneficial reuse of effluent to achieve the region's future water needs could be more effective than the petitioner's proposal to add wastewater effluent into the Highland Lakes; and


Whereas, the petition provides no demonstration that repealing the discharge ban could prevent water quality degradation of the Highland Lakes and tributary streams and rivers; then

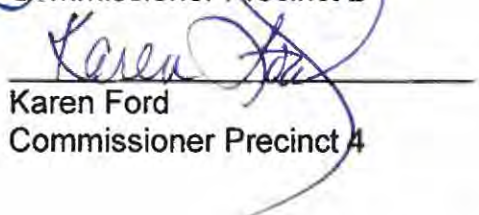
Therefore Be It Resolved that Hays County opposes any immediate change in the no-discharge rule of TCEQ, as presented in the petition. Rather, Hays County encourages the Commission to convene a stakeholder group to consider revisions to the Highland Lakes rule with the goals of (1) preserving the existing high water quality of the lakes; (2) maximizing incentives for beneficial reuse of treated effluent; (3) protecting drinking water supplies; (4) preserving recreational uses; and, (5) establishing community and scientific consensus around what conditions, if any (such as independently monitored, advanced tertiary treatment), should be imposed in case the Commission determines that the rule is lifted in the future.


Elizabeth Sumter
Hays County Judge


Debbie Ingalsbe
Commissioner Precinct 1


Will Conley
Commissioner Precinct 3


Jefferson W. Barton
Commissioner Precinct 2


Karen Ford
Commissioner Precinct 4

ATTEST:

Linda Fritsche, County Clerk