

discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.

The effluent shall contain a chlorine residual of at least 1.0 mg/l and shall not exceed a chlorine residual of 4.0 mg/l after a detention time of at least 20 minutes (based on peak flow), and shall be monitored five times per week by grab sample. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.

<u>Parameter</u>	<u>Monitoring Requirement</u>
Flow, MGD	Continuous
CBOD ₅	One/week
TSS	One/week
NH ₃ -N	One/week
Total P	One/week
DO	One/week
<i>E. coli</i>	One/month

B. INTERIM II PHASE EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The annual average flow of effluent shall not exceed 2.5 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 5,208 gpm.

<u>Parameter</u>	<u>30-Day Average</u>		<u>7-Day Average</u>	<u>Daily Maximum</u>
	<u>mg/l</u>	<u>lbs/day</u>	<u>mg/l</u>	<u>mg/l</u>
CBOD ₅	7	146	12	22
TSS	15	313	25	40
NH ₃ -N	2	42	5	10
Total Phosphorus	0.5	10	1	2
DO (minimum)	6.0	N/A	N/A	N/A
<i>E. coli</i> , CFU or MPN/100 ml	126	N/A	N/A	399

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per week by grab sample. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.

The permittee shall utilize an Ultraviolet Light (UV) system for disinfection purposes. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.

<u>Parameter</u>	<u>Monitoring Requirement</u>
Flow, MGD	Continuous
CBOD ₅	Two/week
TSS	Two/week
NH ₃ -N	Two/week
Total P	Two/week
DO	Two/week
<i>E. coli</i>	Daily

C. FINAL PHASE EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The annual average flow of effluent shall not exceed 5.0 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 10, 417 gpm.

<u>Parameter</u>	<u>30-Day Average</u>		<u>7-Day</u>	<u>Daily</u>
	<u>mg/l</u>	<u>lbs/day</u>	<u>Average</u> <u>mg/l</u>	<u>Maximum</u> <u>mg/l</u>
CBOD ₅	5	209	10	20
TSS	5	209	10	20
NH ₃ -N	1.8	75	5	10
Total Phosphorus	0.5	21	1	2
DO (minimum)	6.0	N/A	N/A	N/A
<i>E. coli</i> , CFU or	126	N/A	N/A	N/A
MPN/100 ml				399

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored five times per week by grab sample. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.

The permittee shall utilize an Ultraviolet Light (UV) system for disinfection purposes. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.

<u>Parameter</u>	<u>Monitoring Requirement</u>
Flow, MGD	Continuous
CBOD ₅	Five/week
TSS	Five/week
NH ₃ -N	Five/week
Total P	Five/week
DO	Five/week
<i>E. coli</i>	Daily

D. SEWAGE SLUDGE REQUIREMENTS

The draft permit includes Sludge Provisions according to the requirements of 30 TAC Chapter 312, Sludge Use, Disposal, and Transportation. The draft permit also authorizes the disposal of sludge at a TCEQ-authorized land application site, co-disposal landfill, or wastewater treatment facility.

E. PRETREATMENT REQUIREMENTS

Permit requirements for pretreatment are based on TPDES regulations contained in 30 TAC Chapter 315, which references 40 Code of Federal Regulations (CFR) Part 403, "General Pretreatment Regulations for Existing and New Sources of Pollution" [rev. *Federal Register*/ Vol. 70/ No. 198/ Friday, October 14, 2005/ Rules and Regulations, pages 60134-60798]. The permit includes specific

requirements that establish responsibilities of local government, industry, and the public to implement the standards to control pollutants which pass through or interfere with treatment processes in publicly owned treatment works or which may contaminate the sewage sludge. This permit has appropriate pretreatment language for a facility of this size and complexity.

F. WHOLE EFFLUENT TOXICITY (BIOMONITORING) REQUIREMENTS

- (1) The draft permit includes 7-day chronic freshwater biomonitoring requirements as follows. The permit requires five dilutions in addition to the control (0% effluent) to be used in the toxicity tests. These additional effluent concentrations shall be 31%, 42%, 56%, 74%, and 99%. The low-flow effluent concentration (critical dilution) is defined as 99% effluent.
 - (a) Chronic static renewal 7-day survival and reproduction test using the water flea (*Ceriodaphnia dubia*). The frequency of the testing is once per quarter for at least the first year of testing, after which the permittee may apply for a testing frequency reduction.
 - (b) Chronic static renewal 7-day larval survival and growth test using the fathead minnow (*Pimephales promelas*). The frequency of the testing is once per quarter for at least the first year of testing, after which the permittee may apply for a testing frequency reduction.
- (2) The draft permit includes the following minimum 24-hour acute freshwater biomonitoring requirements at a frequency of once per six months:
 - (a) Acute 24-hour static toxicity test using the water flea (*Daphnia pulex* or *Ceriodaphnia dubia*).
 - (b) Acute 24-hour static toxicity test using the fathead minnow (*Pimephales promelas*).

G. BUFFER ZONE REQUIREMENTS

The permittee shall comply with the requirements of 30 TAC § 309.13(a) through (d). In addition, by ownership of the required buffer zone area, the permittee shall comply with the requirements of 30 TAC § 309.13(e).

H. SUMMARY OF CHANGES FROM APPLICATION

None.

I. SUMMARY OF CHANGES FROM EXISTING PERMIT

Standard Permit Conditions, Sludge Provisions, Other Requirements, Pretreatment Requirements, and Biomonitoring sections have been included in the draft permit.

E. coli bacteria limits have been added to the draft permit in accordance with the recent amendments to 30 TAC Chapters 309 and 319.

SECTION IV, REQUIREMENTS APPLYING TO SLUDGE TRANSPORTED TO ANOTHER FACILITY FOR FURTHER PROCESSING, has been added to the Sludge Provisions of the draft permit to allow the transportation of sludge to another facility.

The Standards Implementation Team recommends the inclusion of a total phosphorus limit of 0.5 mg/L for all phases of the proposed facility. This should help to insure that no significant degradation of water quality will occur.

8. DRAFT PERMIT RATIONALE

A. TECHNOLOGY-BASED EFFLUENT LIMITATIONS/CONDITIONS

Regulations promulgated in Title 40 CFR require that technology-based limitations be placed in wastewater discharge permits based on effluent limitations guidelines, where applicable, or on best professional judgment (BPJ) in the absence of guidelines.

Effluent limitations for maximum and minimum pH are in accordance with 40 CFR § 133.102(c) and 30 TAC § 309.1(b).

B. WATER QUALITY SUMMARY AND COASTAL MANAGEMENT PLAN

(1) WATER QUALITY SUMMARY

The treated effluent is discharged to Santa Clara Creek; thence to Lower Cibolo Creek in Segment No. 1902 of the Guadalupe River Basin. The unclassified receiving water use is high aquatic life use for Santa Clara Creek. The designated uses for Segment No. 1902 are high aquatic life use and primary contact recreation. The effluent limitations in the draft permit will maintain and protect the existing instream uses. In accordance with 30 TAC § 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. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Santa Clara Creek, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The discharge from this permit action is not expected to have an effect on any federal endangered or threatened aquatic or aquatic dependent species or proposed species or their critical habitat. This determination is based on the United States Fish and Wildlife Service's (USFWS's) biological opinion on the State of Texas authorization of the TPDES (September 14, 1998; October 21, 1998, update). To make this determination for TPDES permits, TCEQ and EPA only considered 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. The permit does not require EPA review with respect to the presence of endangered or threatened species.

Segment 1902 is currently listed on the State's inventory of impaired and threatened waters (the 2012 Clean Water Act Section 303(d) list). The listing is for elevated bacteria levels and impaired fish community in various reaches. The bacteria impairment extends from the lower Segment boundary upstream to the confluence with Clifton Branch (AUs 1902_01, 1902_02, 1902_03). The impaired fish community listing is restricted to a reach extending from 5 miles upstream of the confluence with the San Antonio River to FM 541 (AU 1902_02). This facility is designed to provide adequate disinfection and when operated properly should not add to the bacterial impairment of the segment. In addition, in order to ensure that the proposed discharge meets the stream bacterial standard, an effluent limitation of 126 colony forming units (CFU) or most probable number (MPN) of *E. coli* per 100 ml has been added to the draft permit. The proposed plant will serve a planned residential development. Effluent limits including nutrients limits for ammonia-nitrogen and Total Phosphorus have been included in the draft permit and have been modeled to be protective of Texas Surface Water Quality Standards for aquatic and human health. The facility is not expected to add to the impaired fish community.

The effluent limitations and conditions in the draft permit comply with the Texas Surface Water Quality Standards (TSWQS), 30 TAC §§ 307.1 - 307.10.

(2) CONVENTIONAL PARAMETERS

Effluent limitations for the conventional effluent parameters (i.e., Biochemical Oxygen Demand or Carbonaceous Biochemical Oxygen Demand, Ammonia Nitrogen, etc.) are based on stream standards and waste load allocations for water quality-limited streams as established in the TSWQS and the State of Texas Water Quality Management Plan (WQMP).

The effluent limits recommended above have been reviewed for consistency with the WQMP. The proposed limits are not contained in the approved WQMP. However, these limits will be included in the next WQMP update.

The effluent limitations in the draft permit meet the requirements for secondary treatment and the requirements for disinfection according to 30 TAC Chapter 309, Subchapter A: Effluent Limitations.

(3) COASTAL MANAGEMENT PLAN

The facility is not located in the Coastal Management Program boundary.

C. WATER QUALITY-BASED EFFLUENT LIMITATIONS/CONDITIONS

(1) GENERAL COMMENTS

The Texas Surface Water Quality Standards (30 TAC Chapter 307) state that surface waters will not be toxic to man, or to terrestrial or aquatic life. The methodology outlined in the "Procedures to Implement the Texas Surface Water Quality Standards, June 2010" is designed to ensure compliance with 30 TAC Chapter 307. Specifically, the methodology is designed to ensure that no source will be allowed to discharge any wastewater that: (1) results in instream aquatic toxicity; (2) causes a violation of an applicable narrative or numerical state water quality standard; (3) results in the endangerment of a drinking water supply; or (4) results in aquatic bioaccumulation that threatens human health.

(2) AQUATIC LIFE CRITERIA

(a) SCREENING

Water quality-based effluent limitations are calculated from freshwater aquatic life criteria found in Table 1 of the Texas Surface Water Quality Standards (30 TAC Chapter 307).

Acute freshwater criteria are applied at the edge of the zone of initial dilution (ZID), and chronic freshwater criteria are applied at the edge of the aquatic life mixing zone. The ZID for this discharge is defined as 20 feet upstream and 60 feet downstream from the point where the discharge enters Lower Cibolo Creek. The aquatic life mixing zone for this discharge is defined as 100 feet upstream and 300 feet downstream from the point where the discharge enters Lower Cibolo Creek.

TCEQ uses the mass balance equation to estimate dilutions at the edges of the ZID and aquatic life mixing zone during critical conditions. The estimated dilution at the edge of the aquatic life mixing zone is calculated using the final permitted flow of 5.0 MGD and the 7-day, 2-year (7Q2) flow of 0.10 cfs for Lower Cibolo Creek. The estimated dilution at the edge of the ZID is calculated using the final permitted flow of 5.0 MGD and 25% of the 7Q2 flow. The following critical effluent percentages are being used:

Acute Effluent %:	99.68%	Chronic Effluent %:	98.72%
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Wasteload allocations (WLAs) are calculated using the above estimated effluent percentages, criteria outlined in the Texas Surface Water Quality Standards, and partitioning coefficients for metals (when appropriate and designated in the implementation procedures). The WLA is the end-of-pipe effluent concentration that can be discharged when, after mixing in the receiving stream, instream numerical criteria will not be exceeded. From the WLA, a long-term average (LTA) is calculated using a log normal probability distribution, a given coefficient of variation (0.6), and a 90th percentile confidence level. The LTA is the long-term average effluent concentration for which the WLA will never be exceeded using a

selected percentile confidence level. The lower of the two LTAs (acute and chronic) is used to calculate a daily average and daily maximum effluent limitation for the protection of aquatic life using the same statistical considerations with the 99th percentile confidence level and a standard number of monthly effluent samples collected (12). Assumptions used in deriving the effluent limitations include segment values for hardness, chlorides, pH, and total suspended solids (TSS) according to the segment-specific values contained in the TCEQ guidance document "Procedures to Implement the Texas Surface Water Quality Standards, June 2010." The segment values are 257 mg/l for hardness (as calcium carbonate), 100 mg/l chlorides, 7.6 standard units for pH, and 8.8 mg/l for TSS. For additional details on the calculation of water quality-based effluent limitations, refer to the TCEQ guidance document.

TCEQ practice for determining significant potential is to compare the reported analytical data against percentages of the calculated daily average water quality-based effluent limitation. Permit limitations are required when analytical data reported in the application exceeds 85% of the calculated daily average water quality-based effluent limitation. Monitoring and reporting is required when analytical data reported in the application exceeds 70% of the calculated daily average water quality-based effluent limitation.

(b) PERMIT ACTION

No analytical data is available for screening against water quality-based effluent limitations because the facility is not in operation.

(3) AQUATIC ORGANISM BIOACCUMULATION CRITERIA

(a) SCREENING

Water quality-based effluent limitations for the protection of human health are calculated using criteria for the consumption of freshwater fish tissue found in Table 2 of the Texas Surface Water Quality Standards (30 TAC Chapter 307). Freshwater fish tissue bioaccumulation criteria are applied at the edge of the human health mixing zone. The human health mixing zone for this discharge is identical to the aquatic life mixing zone. TCEQ uses the mass balance equation to estimate dilution at the edge of the human health mixing zone during average flow conditions. The estimated dilution at the edge of the human health mixing zone is calculated using the final permitted flow of 5.0 MGD and the harmonic mean flow of 0.20 cfs for Lower Cibolo Creek. The following critical effluent percentage is being used:

Human Health Effluent %: 97.48%

Water quality-based effluent limitations for human health protection against the consumption of fish tissue are calculated using the same procedure as outlined for calculation of water quality-based effluent

limitations for aquatic life protection. A 99th percentile confidence level in the long-term average calculation is used with only one long-term average value being calculated.

Significant potential is again determined by comparing reported analytical data against 70% and 85% of the calculated daily average water quality-based effluent limitation.

(b) PERMIT ACTION

No analytical data is available for screening against water quality-based effluent limitations because the facility is not in operation.

(4) DRINKING WATER SUPPLY PROTECTION

(a) SCREENING

Water Quality Segment No. 1902, which receives the discharge from this facility, is not designated as a public water supply. Screening reported analytical data of the effluent against water quality-based effluent limitations calculated for the protection of a drinking water supply is not applicable.

(b) PERMIT ACTION

None.

(5) WHOLE EFFLUENT TOXICITY (BIOMONITORING) CRITERIA

(a) SCREENING

TCEQ has determined that there may be pollutants present in the effluent that may have the potential to cause toxic conditions in the receiving stream. Whole effluent biomonitoring is the most direct measure of potential toxicity that incorporates the effects of synergism of effluent components and receiving stream water quality characteristics. Biomonitoring of the effluent is, therefore, required as a condition of this permit to assess potential toxicity.

A reasonable potential (RP) determination was performed in accordance with 40 CFR §122.44(d)(1)(ii) to determine whether the discharge will reasonably be expected to cause or contribute to an exceedance of a state water quality standard or criterion within that standard. Each test species is evaluated separately. The RP determination is based on representative data from the previous five years of chronic WET testing. The table below identifies the number of test failures required to necessitate that a WET limit be placed in the permit or the consideration of additional Best Professional Judgment (BPJ) factors, such as the duration and magnitude of the failures.

WET Reasonable Potential Determination Thresholds
More than 3 failures in the past five years = WET limit
3 failures with 2 or 3 occurring in the past 3 years = WET limit
1 to 3 failures in the past five years but 1 or less in last 3 years = BPJ
0 failures = No limit

With zero failures, a determination of no RP was made for both test species. With no RP, additional WET limits are not required and both test species are eligible for the testing frequency reduction.

The permit includes 7-day chronic freshwater biomonitoring requirements. The facility has yet to be constructed. Therefore, there is no WET testing history to review.

The applicant is not currently monitoring whole effluent toxicity because the requirements do not take effect until the Final phase.

(b) PERMIT ACTION

The test species are appropriate to measure the toxicity of the effluent consistent with the requirements of the State water quality standards. The biomonitoring frequency has been established to reflect the likelihood of ambient toxicity and to provide data representative of the toxic potential of the facility's discharge. This permit may be reopened to require effluent limits, additional testing, and/or other appropriate actions to address toxicity if biomonitoring data show actual or potential ambient toxicity to be the result of the permittee's discharge to the receiving stream or water body.

No analytical data is available because the facility is not in operation.

(6) WHOLE EFFLUENT TOXICITY CRITERIA (24-HOUR ACUTE)

(a) SCREENING

The existing permit includes 24-hour acute freshwater biomonitoring language. The facility has yet to be constructed. Therefore, there is no WET testing history to review.

(b) PERMIT ACTION

The draft permit includes 24-hour 100% acute biomonitoring tests for the life of the permit to begin in the Final phase. The applicant is not currently monitoring whole effluent toxicity because the requirements do not take effect until the Final phase.

9. WATER QUALITY VARIANCE REQUESTS

No variance requests have been received.

10. PROCEDURES FOR FINAL DECISION

When an application is declared administratively complete, the Chief Clerk sends a letter to the applicant advising the applicant to publish the Notice of Receipt of Application and Intent to Obtain Permit in the newspaper. In addition, the Chief Clerk instructs the applicant to place a copy of the application in a public place for review and copying in the county where the facility is or will be located. This application will be in a public place throughout the comment period. The Chief Clerk also mails this notice to any interested persons and, if required, to landowners identified in the permit application. This notice informs the public about the application, and provides that an interested person may file comments on the application or request a contested case hearing or a public meeting.

Once a draft permit is completed, it is sent, along with the Executive Director's preliminary decision, as contained in the technical summary or fact sheet, to the Chief Clerk. At that time, the Notice of Application and Preliminary Decision will be mailed to the same people and published in the same newspaper as the prior notice. This notice sets a deadline for making public comments. The applicant must place a copy of the Executive Director's preliminary decision and draft permit in the public place with the application. This notice sets a deadline for public comment.

Any interested person may request a public meeting on the application until the deadline for filing public comments. A public meeting is intended for the taking of public comment, and is not a contested case proceeding.

After the public comment deadline, the Executive Director prepares a response to all significant public comments on the application or the draft permit raised during the public comment period. The Chief Clerk then mails the Executive Director's response to comments and final decision to people who have filed comments, requested a contested case hearing, or requested to be on the mailing list. This notice provides that if a person is not satisfied with the Executive Director's response and decision, they can request a contested case hearing or file a request to reconsider the Executive Director's decision within 30 days after the notice is mailed.

The Executive Director will issue the permit unless a written hearing request or request for reconsideration is filed within 30 days after the Executive Director's response to comments and final decision is mailed. If a hearing request or request for reconsideration is filed, the Executive Director will not issue the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If the Executive Director calls a public meeting or the Commission grants a contested case hearing as described above, the Commission will give notice of the date, time, and place of the meeting or hearing. If a hearing request or request for reconsideration is made, the Commission will consider all public comments in making its decision and shall either adopt the Executive Director's response to public comments or prepare its own response.

For additional information about this application, contact Larry Diamond at (512) 239-0037.

11. ADMINISTRATIVE RECORD

The following items were considered in developing the draft permit:

A. APPLICATION

Application received on April 1, 2015, and additional information received on May 4, 2015, May 8, 2015, and September 3, 2015.

B. MEMORANDA

Interoffice memoranda from the Water Quality Assessment Section of the TCEQ Water Quality Division. Interoffice memorandum from the Stormwater & Pretreatment Team of the TCEQ Water Quality Division.

C. MISCELLANEOUS

Federal Clean Water Act, § 402; Texas Water Code § 26.027; 30 TAC Chapters 30, 305, 309, 312, 319,; Commission policies; and U.S. Environmental Protection Agency guidelines.

Texas Surface Water Quality Standards, 30 TAC §§ 307.1 - 307.10.

Procedures to Implement the Texas Surface Water Quality Standards (IP), Texas Commission on Environmental Quality, June 2010, as approved by the U.S. Environmental Protection Agency, and the IP, January 2003, for portions of the 2010 IP not approved by the U.S. Environmental Protection Agency.

Texas 2012 Clean Water Act Section 303(d) List, Texas Commission on Environmental Quality, February 21, 2013; approved by the U.S. Environmental Protection Agency on May 9, 2013.

TNRCC Guidance Document for Establishing Monitoring Frequencies for Domestic and Industrial Wastewater Discharge Permits, Document No. 98-001.000-OWR-WQ, May 1998.

EXHIBIT D

REVIEWED

NOV 13 2015

By hp

PM
H

November 12, 2015

Ms. Bridget Bohac (MC 105)
Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78767-3087

OS 446
MWD

VIA HAND DELIVERY

CHIEF CLERKS OFFICE

2015 NOV 12 PM 3:34

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Re: Green Valley Special Utility District
Application for TPDES Permit No. WQ0015360001

Dear Ms. Bohac:

The City of Cibolo ("City"), my client, hereby submits this letter to the Texas Commission on Environmental Quality ("TCEQ"), to supplement its letter of August 31, 2015, providing formal comments and requesting a public meeting and a contested case hearing regarding Green Valley Special Utility District's ("GVSUD") application ("Application") for a new Texas Pollutant Discharge Elimination System ("TPDES") permit, referenced above. The City's August 31, 2015 letter ("*First Protest*") is attached as Exhibit A.

I. PUBLIC COMMENTS

The City requests that the TCEQ deny the Application because GVSUD has not provided all of the information required in TCEQ Application Form – TCEQ-10053. In addition, the Application and Draft Permit fail to (1) demonstrate a need for the proposed wastewater treatment facility (the "*Facility*"), (2) meet regionalization requirements, and (3) satisfy water quality, antidegradation, and stream standard requirements. If the TCEQ rejects the City's request to deny the permit, then, in the alternative, the City requests that the discharge of treated wastewater from the Facility be limited to a daily average flow of 2.5 million gallons per day ("*mgd*") because the Application indicates that GVSUD does not anticipate needing 5.0 mgd of treatment capacity until the year 2045.

In its Application, GVSUD requests authorization from the TCEQ to discharge treated wastewater at a volume not to exceed a daily average flow of 5.0 mgd. The proposed Facility is to be located in Guadalupe County, and the wastewater will be discharged from the plant site to Santa Clara Creek, and from there, to Lower Cibolo Creek. Lower Cibolo Creek is Segment No.

1902 in the San Antonio River Basin. The designated uses for Segment 1902 are primary contact recreation 1 and high aquatic life uses. Segment 1902 is currently listed on the TCEQ's 303(d) inventory of impaired and threatened waters for bacteria.

The City reiterates its public comments from its First Protest and incorporates those comments into this letter. The City also provides the following additional information to support the comments set forth in its First Protest.

A. *Application Deficiencies and Failure to Demonstrate Need*

1. The Application does not contain a map clearly identifying the proposed service area for the proposed Facility. The City noted in Section II.1 of its First Protest that the boundaries of the area to be served by the proposed treatment facility are unclear. Also, in Section II.2 of its First Protest, the City notes that if the City is part of GVSUD's proposed sewer service area, then GVSUD should have included the City in its responses for Domestic Technical Report 1.1, Section 1.C.1, and should have requested service from the City and Cibolo Creek Municipal Authority ("*CCMA*"). There is no evidence in the Application that GVSUD requested service from the City or CCMA, or that GVSUD provided a cost analysis of connecting to the City's or CCMA's system to prove that a regional option was not feasible. The idea that GVSUD intends to serve its entire sewer certificate of convenience and necessity ("*CCN*") service area with the proposed facility, and not just the Cities of Marion and Santa Clara, is supported by a letter from GVSUD's engineer to TCEQ Staff dated August 31, 2015, which argues that a 5.0 mgd plant is needed because "undeveloped properties between FM 78 to IH 10 including portions of the *City of Cibolo*¹, Marion, and Santa Clara will be the focus of future development....[GVSUD's] *certificated area*² encompasses 76,257.23 acres of land in various land uses...." See, Exhibit B. As noted in the City's First Protest, because the City intends to provide retail sewer service in the portions of the City's corporate limits that currently overlap with the service area of GVSUD's sewer CCN No. 20973, which is subject to partial CCN decertification under Texas Water Code § 13.255, then GVSUD has not provided the information required to show that a regional option is not available.
2. GVSUD's Application further lacks evidence that GVSUD needs a 5.0 mgd Facility. In Domestic Technical Report 1.0 of the Application, regarding proposed flows, GVSUD's own projection report, which again, refers to GVSUD's entire sewer CCN service area as opposed to just the Santa Clara watershed, admits that the need for a 2.5 mgd facility would not even occur until 2020, and the need for a 5.0 mgd facility would not occur until 2045. See Exhibit C. Here, the draft permit term expires in 2020, so it is unclear why a 5.0 mgd would be necessary and authorized at this time. Further, since the City provided notice to GVSUD on August 20, 2015 that it intends to decertify portions of GVSUD's sewer CCN No. 20973 service area that are within the corporate limits of the City, GVSUD will have even less of a need for a 5.0 mgd Facility to serve its reduced

¹ Emphasis added.

² Emphasis added.

sewer CCN area if the Application contemplates serving such area (which again, is unclear).

3. In Domestic Technical Report 1.0, Section 10 (page 12 of such report), the TCEQ requires the applicant to select the anticipated sludge disposal method and provide sludge disposal site information, including the disposal site name, permit or registration number, and disposal site's county. Section 10 also requires the applicant to indicate the method of transportation, hauler name, and hauler registration number. In response, GVSUD did not provide most of this information, instead stating that the information is to be determined and admitting that neither a sludge disposal site nor hauler has been selected. See Exhibit D. GVSUD also has not complied with the TCEQ's requirement to provide a copy of the contractual agreements demonstrating that the receiving facility will accept the sludge. *Id.* GVSUD's failure to identify a method for sludge disposal creates another deficiency in the Application and indicates that GVSUD's operation of the Facility will not comply with federal and state requirements.

B. Regionalization

Again, the TCEQ is obligated to adhere to its regionalization policy in considering discharge permit applications. See Texas Water Code ("*TWC*") § 26.003, 26.0282, and 26.081. Under 30 Texas Administrative Code ("*TAC*") § 351.62, CCMA is the designated provider of sewer service in the area that GVSUD intends to serve with the proposed Facility. As a purchaser of wholesale wastewater services from CCMA, and as a named city under 30 TAC § 351.62, the City is a part of the same CCMA regional system that is the wastewater service provider in the service area contemplated by the Application. The City has concerns that the construction of this Facility violates state law and the TCEQ's regionalization policy, as the City (through its contract with CCMA) and CCMA itself has the authority (and capacity) to provide wastewater service to this area. The City agrees with CCMA's letter to the Chief Clerk dated June 24, 2015, that CCMA is the governmental entity designated to provide wastewater treatment services in the region, and the City fully supports CCMA's arguments addressing 30 TAC § 351.62 and incorporates those arguments into this letter as well.

C. Antidegradation and Stream Standards

The Application and Draft Permit also raise concerns that the proposed discharge will not be in compliance with the TCEQ's antidegradation policy and will not maintain its current stream standard. Under 30 TAC § 307.5, the proposed discharge is subject to the antidegradation policy and implementation procedures under Tier 1 and Tier 2. Additionally, because Segment 1902 is an impaired water body on the TCEQ's 303(d) list for bacteria, the proposed discharge may unnecessarily downgrade the segment's water quality in violation of statutory and regulatory antidegradation requirements and stream standards. For these additional reasons, it is not in the public interest for the TCEQ to approve the Application.

Because of the reasons set forth in its First Protest and in this letter, the City recommends that the TCEQ deny the Application. Apart from the Application having numerous deficiencies

and the concern that the permit will not provide sufficient protection of water quality, it appears that GVSUD was inconsistent in its responses dealing with the proposed service area, which allowed it to benefit both from a limited service area for regionalization purposes (e.g., avoiding naming the Cities of Schertz and Cibolo as being within the intended service area for regionalization requirements), and an expansive area (i.e., its entire sewer CCN service area) to try to justify the need for a 5.0 mgd facility. If the TCEQ does not reject the Application, the TCEQ should limit the permit to 2.5 mgd, as GVSUD has not shown a need for a 5.0 mgd facility.

II. REQUESTS FOR PUBLIC MEETING AND CONTESTED CASE HEARING

Again, the City requests both a public meeting and a contested case hearing on this Application for the above reasons and the reasons stated in its First Protest. The City is an "affected person," negatively impacted by this Application in a manner that is under the jurisdiction of the TCEQ and that is unique from the general public for the reasons stated in its First Protest. It is also an affected person because the Application indicates that GVSUD is planning to serve its entire sewer CCN service area with the Facility, and GVSUD's sewer CCN service area overlaps with both the City's corporate limits and ETJ. *See* Exhibit 2 to the City's First Protest. The City has statutory authority over and an interest in the issues relevant to the Application because it has authority as a home rule municipality to operate a utility system inside or outside its corporate limits. Texas Local Government Code § 402.001(b). To this end, the City provides retail sewer service within its corporate limits and ETJ through its wholesale wastewater service contract with CCMA. Additionally, as noted in the public comment section, above, the City has provided notice to GVSUD under TWC § 13.255 that it intends to decertify portions of GVSUD's sewer CCN that are within the corporate limits of the City.

The City protests the Application, which contemplates the construction of the Facilities because it will violate state law and the TCEQ's regionalization policy, as the City (through its contract with CCMA), or CCMA itself, has the authority (and capacity) to provide wastewater service to the proposed service area for the Facility. Additionally, the City protests the Application because, as noted in Section 1, above, GVSUD did not provide evidence that it requested service from the City and/or CCMA or evidence of a cost analysis to connect to the regional wastewater system, as required by the TCEQ in a TPDES Application. The City also protests the Application for failing to provide required information regarding the proposed service area for the Facility, as well as failing to identify the need for the 5.0 mgd Facility.

The City reserves its right to supplement these public comments and this request for a contested case hearing as it learns more about the Application - information that may become apparent with conducting a public meeting for the Application. The City appreciates your consideration of these public comments and requests for a public meeting and contested case hearing.

Ms. Bridget Bohac
November 12, 2015
Page 5

If you have any questions regarding this matter, please contact me at (512) 322-5818.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Klein', with a stylized, cursive script.

David Klein

cc: Office of Public Assistance
Firoj Vahora, TCEQ
Mr. Robert T. Herrera, City Manager, City of Cibolo
Mr. Pat Allen, General Manager, GVSUD

EXHIBIT A

FIRST PROTEST LETTER

Mr. Klein's Direct Line: (512) 322-5818
Email: dklein@lglawfirm.com

August 31, 2015

Ms. Bridget Bohac (MC 105)
Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78767-3087

Re: Green Valley Special Utility District
Application for TPDES Permit No. WQ0015360001

Dear Ms. Bohac:

The City of Cibolo ("*City*"), my client, hereby submits this letter to the Texas Commission on Environmental Quality ("*TCEQ*"), providing its formal comments and requesting a public meeting and a contested case hearing regarding Green Valley Special Utility District's ("*GVSUD*") application ("*Application*") for a new Texas Pollutant Discharge Elimination System ("*TPDES*") permit, referenced above.

Again, I represent the City regarding the Application, and I request that the TCEQ send all correspondence regarding this matter to me at:

Lloyd Gosselink Rochelle & Townsend, P.C.
Attn: David Klein
816 Congress Avenue, Suite 1900
Austin, Texas 78701
dklein@lglawfirm.com
512-322-5818 (phone)
512-472-0532 (fax)

I. PUBLIC COMMENTS

The City requests that the TCEQ halt processing the Application because GVSUD has not provided all of the information required in TCEQ Application Form – TCEQ-10053. In its Application, GVSUD requests authorization from the TCEQ to discharge treated wastewater at a volume not to exceed a daily average flow of 5,000,000 gallons per day. The proposed wastewater treatment facility is to be located in Guadalupe County, and the wastewater will be discharged from the plant site to Santa Clara Creek, and from there, to Lower Cibolo Creek.

4975247.2

Lower Cibolo Creek is Segment No. 1902 in the San Antonio River Basin. The designated uses for Segment 1902 are primary contact recreation I and high aquatic life uses. Segment 1902 is currently listed on the TCEQ's 303(d) inventory of impaired and threatened waters for bacteria.

After a careful review of the Application, the City believes that the Application has substantive deficiencies, which are more specifically described below:

1. In Domestic Technical Report 1.0, Section 4 (page 3 of such report), TCEQ requires the applicant to provide a map showing the "boundaries of the area served by the treatment facility." However, it is uncertain whether GVSUD has provided such map. If the map provided by GVSUD in the Application to address this requirement is the map entitled "GVSUD Wastewater System Regional Planning Santa Clara Creek Watershed," ("*Vicinity Map*") attached hereto as Exhibit 1, then it is unclear what are GVSUD's service area boundaries; otherwise, no service area map has been provided. The Vicinity Map depicts the sewer certificate of convenience and necessity ("*CCN*") service area boundaries, corporate limits, and extraterritorial jurisdiction boundaries ("*ETJ*") of numerous entities and the boundaries of the Santa Clara watershed, but many of these areas appear to overlap. The Vicinity Map does not indicate whether GVSUD's entire sewer CCN service area is also the service area of the proposed facility. Again, *see* Exhibit 1.
2. In Domestic Technical Report 1.1, Section 1.C.1 (page 21 of such report), GVSUD indicates that the proposed service area is only within the corporate limits of the Cities of Santa Clara and Marion. However, as noted in the prior comment, the proposed service area for GVSUD's proposed wastewater treatment plant is not clear. If the proposed service area is GVSUD's sewer CCN boundaries, those CCN boundaries overlap with land within the City's corporate limits, as shown on the map attached as Exhibit 2. If the proposed service area is all of Santa Clara Creek within GVSUD's sewer CCN area, it appears from the Vicinity Map that Cibolo is included, though the map is not clear. If the City is within the proposed service area for this wastewater treatment plant, then GVSUD should have included the City in GVSUD's responses to these questions and should have requested service from Cibolo Creek Municipal Authority ("*CCMA*"), the City's wholesale wastewater service provider, in order to meet the Commission's regionalization requirements. In addition, on August 20, 2015, the City also provided notice to GVSUD under Texas Water Code ("*TWC*") §13.255 that the City intends to provide retail sewer service in those portions of the City's corporate limits that overlap with the service area of GVSUD's sewer CCN No. 20973. *See* Exhibit 2. As a result, GVSUD will have even less need for a wastewater facility to serve its sewer CCN service area.

The City also has concerns about the proposed facility because areas annexed by the City as well as areas within the City's ETJ and areas subject to annexation agreements with the City are within extremely close proximity to the proposed facility location. GVSUD has no history of operating a wastewater facility, and the City's residents and residents within the City's ETJ can

expect to be affected by nuisance odors from a facility of the size proposed by GVSUD. Any sewage spills can be expected to create hazards to the health and welfare of residents in the area, including residents of the City and the City's ETJ.

The Commission is obligated to adhere to its regionalization policy in considering discharge permit applications. See TWC § 26.003, 26.0282, and 26.081. Under 30 Texas Administrative Code ("TAC") § 351.62, CCMA is the designated provider of sewer service in the area. As a purchaser of wholesale wastewater services from CCMA, and a named city under 30 TAC § 351.62, the City is a part of the same CCMA regional system that should remain the wastewater service provider in the area. The City has concerns that the construction of this wastewater treatment facility violates state law and the Commission's regionalization policy, as CCMA or other existing wastewater treatment facilities may have the capacity to provide wastewater service to this area. The City agrees with CCMA's letter to the Chief Clerk dated June 24, 2015, that CCMA is the governmental entity designated to provide wastewater treatment services in the region, and the City fully supports CCMA's arguments addressing 30 TAC § 351.62 and incorporates those arguments into this letter.

For the above reasons, the City recommends that the Commission discontinue processing the Application.

II. REQUEST FOR PUBLIC MEETING

The City requests a public meeting regarding the Application in light of the issues raised in Sections I and III of this letter. Title 30 TAC § 55.154(c) provides that "[a]t any time, the executive director or Office of Public Assistance may hold public meetings," and that "[t]he executive director or Office of Public Assistance shall hold a public meeting if: (1) the executive director determines that there is a substantial or significant degree of public interest in an application..." Under 30 TAC § 55.150, this opportunity to request a public meeting under 30 TAC § 55.154(c) applies to applications for a new TPDES permit, such as the Application. Accordingly, the City, as a retail wastewater services provider and customer of CCMA, and for the benefit of its citizens, has a substantial and significant degree of public interest in the Application. The City is willing to work with the TCEQ and GVSUD to determine a location for such public meeting.

III. REQUEST FOR A CONTESTED CASE HEARING

The City hereby requests a contested case hearing regarding the Application, as the City is negatively impacted by this Application in a manner that is under the jurisdiction of the TCEQ and that is unique from the general public. Specifically, GVSUD's application fails to adhere to the applicable laws of TWC, Chapter 26, and TCEQ regulations regarding regionalization, and the City is a customer of the current regional provider, CCMA.

Ms. Bridget Bohac
August 31, 2015
Page 4

CCMA is the TCEQ-designated regional wastewater services provider "in that area of Cibolo Creek Watershed, in the vicinity of the cities of Cibolo, Schertz, Universal City, Selma, Bracken, and Randolph Air Force Base." 30 TAC § 351.62. Further, the TCEQ's regulations provide that "all future permits and amendments to existing permits pertaining to discharges of domestic wastewater effluent within the Cibolo Creek regional area shall be issued only to the Authority." 30 TAC § 351.65. The City is a wholesale wastewater service customer of CCMA under a certain "Contract for Sewerage Service," dated February 14, 1985, in part placing obligations on the City to pay for its pro-rata share of CCMA's facilities and enabling the City to provide retail wastewater services to its customers. As noted in Section I of this letter, GVSUD's proposed service area for this Application includes portions of the City's corporate limits and/or ETJ, and the City opposes the Application because CCMA is the regional provider of wholesale wastewater services to this area.

In addition to the TCEQ's own regulations, the TWC recognizes the importance of regionalization as a method to improve and protect water quality. *See* Tex. Water Code § 26.081(a),(c) (West 1985) ("The legislature finds and declares that it is necessary to the health, safety, and welfare of the people of this state to implement the state policy to encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems . . ."). Accordingly, the TCEQ is obligated to adhere to its regionalization policy in considering discharge permit applications. *See* Tex. Water Code § 26.003, 26.0282, and 26.081. Therefore, the City opposes the construction of GVSUD's proposed wastewater treatment plant because it will violate state law and the Commission's regionalization policy, as CCMA may have the capacity to provide wastewater service to this area.

The City reserves its right to supplement these public comments and this request for a contested case hearing as it learns more about the Application- information that may become apparent with conducting a public meeting for the Application. The City appreciates your consideration of these public comments and requests for a public meeting and contested case hearing.

If you have any questions regarding this matter, please contact me at (512) 322-5818.

Sincerely,



David Klein

cc: Office of Public Assistance
Firoj Vahora, TCEQ
Mr. Robert T. Herrera, City Manager, City of Cibolo
Mr. Pat Allen, General Manager, GVSUD

EXHIBIT 1
VICINITY MAP

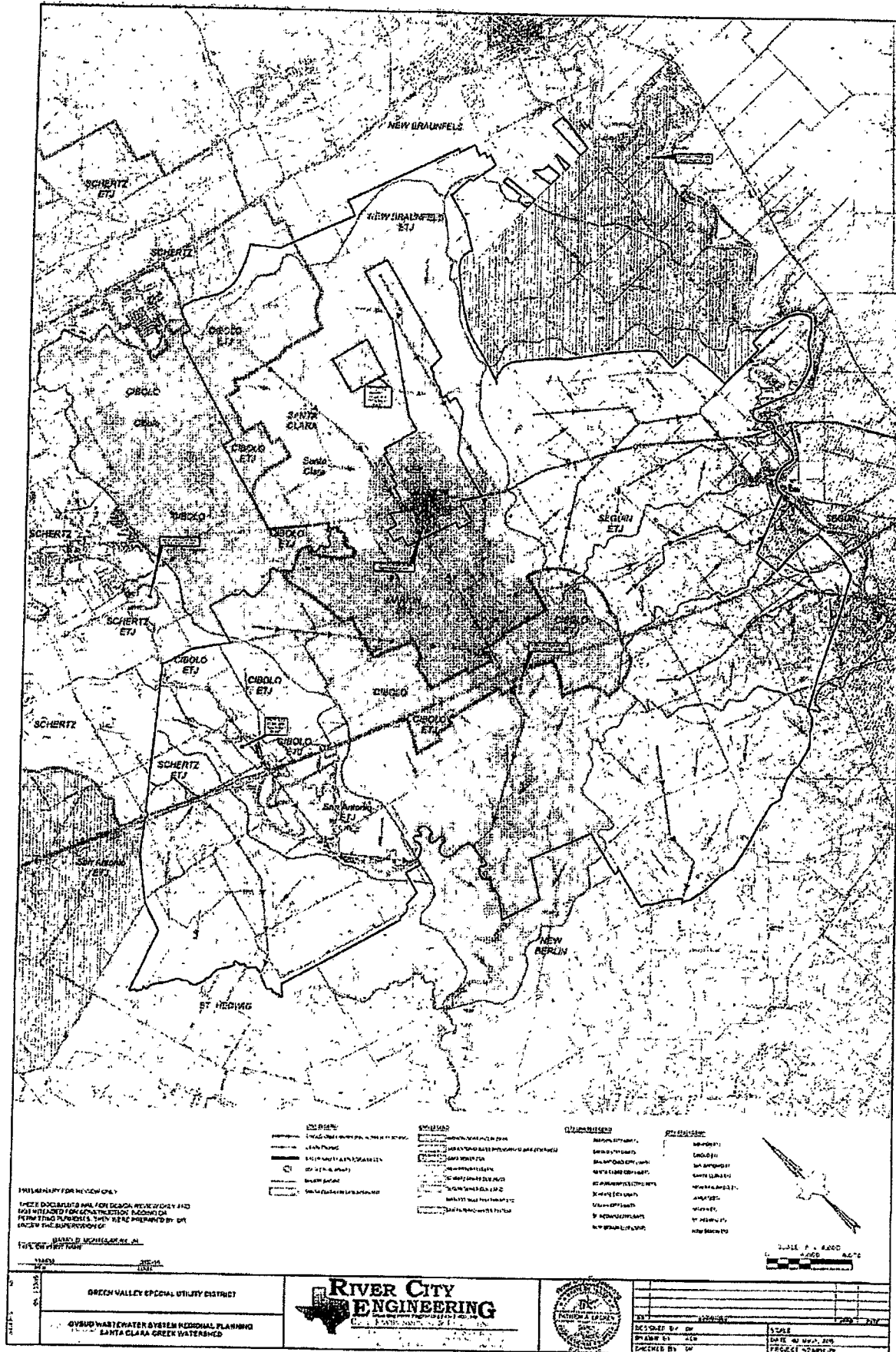


EXHIBIT 2

NOTICE OF INTENT TO SERVE/ SERVICE AREA MAP



From the Office of Robert T. Herrera, City Manager
City of Cibolo 200 S. Main / PO BOX 826 Cibolo, Texas 78108 (210) 658-9900 www.cibolotx.gov

August 18, 2015

Green Valley Special Utility District
Attn: Pat Allen, General Manager
529 South Center Street
Marion, TX 78124

VIA HAND DELIVERY & USPS REGULAR MAIL

Re: Notice of Intent by the City of Cibolo to Provide Sewer Service in Corporate Limits

Dear Mr. Allen:

The City of Cibolo ("City") currently provides retail sewer service to customers located within certain portions of the City's corporate limits and extra-territorial jurisdiction ("ETJ"). However, other portions of the City's corporate limits overlap with Green Valley Special Utility District's ("Green Valley SUD") sewer certificate of convenience and necessity ("CCN") No. 20973.

In accordance with Texas Water Code § 13.255, the City hereby provides Green Valley SUD with notice that the City intends to provide retail sewer service to the areas within its corporate limits that overlap with Green Valley SUD's sewer CCN service area ("Transition Areas"), which are more specifically depicted in light blue on the attached map, attached hereto as Attachment A. The yellow areas on Attachment A are additional tracts that are currently subject to annexation agreements with the City, and the City anticipates annexing these tracts in the near future. For your convenience, attached hereto as Attachment B, are field notes for the entire light blue and yellow shaded areas, which are bounded on the south by U.S. Interstate Highway 10; on the west by Cibolo Creek, on the north by Lower Seguin Road, Haackerville Road, and Arizpe Road; and on the east by the Court Decreed ETJ Boundary of the City and the City of Marion, as well as the boundaries of GCAD Parcel Nos. 70979 and 71064.

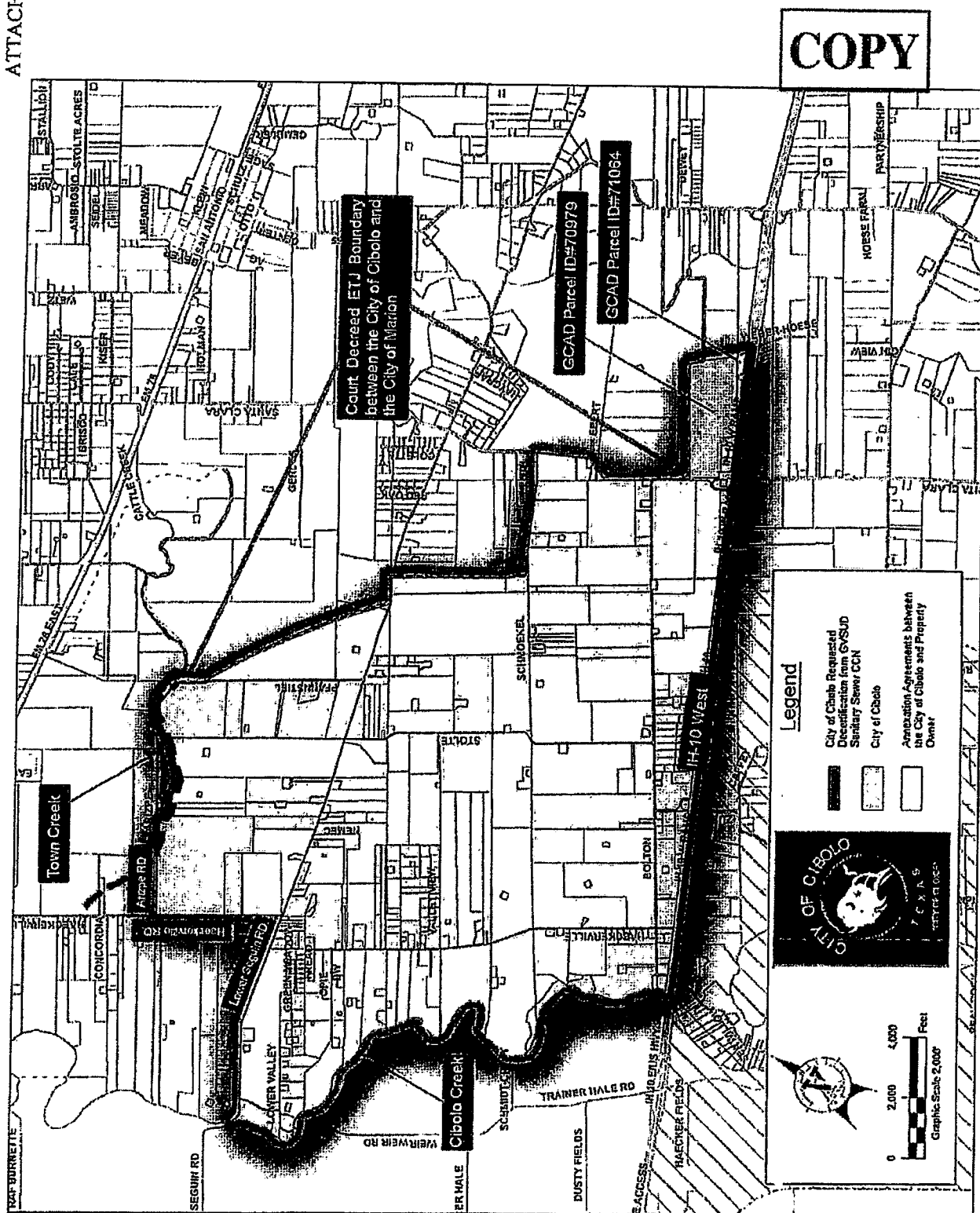
We look forward to discussing the terms of an agreement between the City and Green Valley SUD, which will detail the arrangement between the parties for the City's provision of retail sewer service to these Transition Areas. If you have any questions, please contact me at (210) 658-9900.

Sincerely,

Robert T. Herrera
City Manager

CC: Mayor Jackson | City Council | Peggy Cimics, City Secretary | Rudy Klein, Director of Planning & Engineering

Enclosure(s)



ATTACHMENT B

COPY

Field Notes for a 5,882 Acre area of land to be Certified into the City of Cibolo's Certificate of Convenience and Necessity (CCN) area; said 5,882 Acres of land is in the existing City Limits or ETJ of the City of Cibolo, Guadalupe County, Texas.

Beginning at the intersection of Hackerville Road and Arizpe Road, said intersection being 7,515 feet south of the intersection of Hackerville Road and Farm to Market Road 78, said point of beginning also being in the Extra Territorial Jurisdictional (ETJ) area for the City of Cibolo, Guadalupe County, Texas.

Thence in an easterly direction with Arizpe Road, approximately 2,304 feet to the intersection and crossing of Town Creek, an intermittent tributary to the Cibolo Creek;

Thence in an easterly direction with the meanders of Town Creek, approximately 6,860 feet to the intersection of Pfannstiel Lane and the Court Decreed ETJ Boundary between the City of Cibolo and the City of Marion;

Thence in a southerly direction with the Court Decreed ETJ Boundary between the City of Cibolo and the City of Marion, approximately 25,565 feet to the northeast corner of a 124.75 acre tract of land identified by the Guadalupe County Appraisal District as Parcel # 70979;

Thence in a southerly direction with the east line of said 124.75 acre tract, approximately 1,630 feet to the southeast corner of said tract, also being the north east corner of a 7.658 acres tract of land identified by the Guadalupe County Appraisal District as Parcel # 71064;

Thence in a southerly direction with the east line of said 7.658 acre tract, approximately 330 feet to the southeast corner of said tract, also being on the north right-of-way line of Interstate Highway 10;

Thence in a southwesterly direction with the north right-of-way line of Interstate Highway 10, approximately 20,900 feet to the intersection and crossing of the Cibolo Creek, the centerline of said Cibolo Creek also being the western limit of the ETJ of the City of Cibolo;

Thence in a northerly direction with the meanders of Cibolo Creek, approximately 21,350 feet to the intersection and crossing of Lower Seguin Road;

Thence in an easterly direction with Lower Seguin Road, approximately 7,005 feet to the intersection with Hackerville Road;

Thence in a northerly direction with Hackerville Road, approximately 4,003 feet to the point of beginning and containing 5,882 acres more or less.

EXHIBIT B

LETTER FROM GVSUD'S ENGINEER



August 31, 2015

Larry Diamond
Permit Coordinator
Municipal Permits Team
Wastewater Permitting Section (MC 148)
Water Quality Division
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
P.O. Box 13087
Austin, Texas 78711-3087

Re: Draft Permit for Proposed Green Valley Special Utility District Wastewater Permit No. WQ0015360001 (CN600684294) (RN108208646)

Dear Mr. Diamond:

This letter is in response to the draft permit dated August 20, 2015 and includes our comments for further consideration.

Comment 1:

Note 5 of the Cover Letter: The Standards Implementation Team recommends the inclusion of a total phosphorus limit of 0.5 mg/L for all phases of the proposed facility. This should help to insure that no significant degradation of water quality will occur.

The plant location is within rural Guadalupe County and is surrounded by properties used primarily for agricultural production and farming. The black land soils of the coastal plain region of Texas does not warrant a 0.5 mg/L total phosphorus limit. We believe a limit of 1.0 mg/L is more appropriate for this permit being that the outfall is within the Santa Clara Creek watershed and not directly to the Cibolo Creek. The plant discharge is over two (2) miles from the confluence of the Cibolo Creek. Other permits in this area including the City of Marion, La Vernia, San Antonio River Authority and the Cibolo Creek Municipal Authority permits do not include the more stringent 0.5 mg/L limit.

Comment 2:

Note 6 of the Cover Letter: The applicant asked for a Final phase of 5.0 million gallons per day (MGD). However because of the proposed date this phase will first be needed it has not been included in the draft permit.

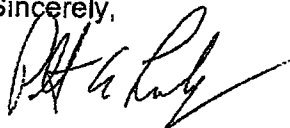
The projected flows provided in the application were based on historic water connection growth. Since the application was submitted Green Valley SUD has received increased interest in centralized sewer for future developments. The District will need sufficient permitted capacity in order to contract for wastewater service on a tract by tract basis. For instance, the District is in discussion with three developers with tracts ranging from 40 acres up to 850 acres in size, with a total acreage requesting service of 1050 acres at this time. In order to contract for service to the entire development the district would need to insure capacity up to approximately 4200 equivalent dwelling units, 1,029,000 gpd or 41% of the 2.5 mgd phase is available. This calculation was completed using the following logic:

*1050 acres * 4 EDU/Acre = 4,200 EDU
4,200 EDU * 245 gpd/EDU = 1,029,000 gpd
1,029,000 gpd / 2,500,000 gpd Phase = 41.16% capacity contracted*

We request that the 5.0 mgd phase be included in the permit so that Green Valley's Board of Directors and Management can confidently enter agreements with developers and landowners for all phases of development within their service area. Multiple large acreage tracts are in the predevelopment process currently. Although the received flow may be several years in the future the District requires assurance that the 5.0 mgd phase can be obtained for orderly growth of their Certificate of Convenience and Necessity No. 20973 on a tract by tract basis. The received flows from these developments will be based on the real estate market and absorption of lots by builders and Green Valley will not have any control over the rate of construction and future phases of development. The undeveloped properties between FM 78 to IH 10 including portions of the City of Cibolo, Marion and Santa Clara will be the focus of future development in this area. Green Valley SUD's certificated area encompasses 76,257.23 acres of land in various land uses ranging from agricultural production to light industrial uses. I have attached a future land use map for your review.

If you have any questions or need additional information, please do not hesitate to contact our office.

Sincerely,



Patrick A. Lackey, P.E.
Principal – River City Engineering, PLLC

Cc: Pat Allen, General Manager GVSUD

Attachment: Future Land Use Map

EXHIBIT C

PROJECTED FLOW INFORMATION

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
DOMESTIC WASTEWATER PERMIT APPLICATION

DOMESTIC TECHNICAL REPORT 1.0

The Following Is Required For All Applications

Renewal, New, And Amendment

1. Permitted or Proposed Flows

(Instructions, Page 49)

Table 1.0(1) - Existing/Interim I Phase

Design Flow (MGD)	0.25
2-Hr Peak Flow (MGD)	0.75
Estimated construction start date	01/2016
Estimated waste disposal start date	08/2016

Table 1.0(2) - Interim II Phase

Design Flow (MGD)	2.5
2-Hr Peak Flow (MGD)	7.5
Estimated construction start date	01/2019
Estimated waste disposal start date	01/2020

Table 1.0(3) - Final Phase

Design Flow (MGD)	5.0
2-Hr Peak Flow (MGD)	15.0
Estimated construction start date	01/2044
Estimated waste disposal start date	01/2045

Current operating phase: N/A

Provide the startup date of the current phase: N/A

Provide the startup date of the facility: Pending Permit Approval

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WATER QUALITY DIVISION
Applications Team

GREEN VALLEY SPECIAL UTILITY DISTRICT (GVSUD) PROJECTED FLOWS

Green Valley Special Utility District (GVSUD) has a wastewater CCN area of approximately 73,175 acres. GVSUD CCN boundary generally overlaps their water CCN boundary, except for the Northeast & Northwest parts of their water CCN area. This was helpful in identifying land use and estimating EDU/connection's per year to help size the capacity and loading of the proposed plant. To project future plant capacity and EDU's/connections per year, a 10% growth rate was used. This growth rate is similar to the growth rates of nearby municipalities that provide wastewater service. This growth rate is also similar to the growth rate of GVSUD's water system in areas where wastewater service is available over the past 10 to 15 years. This growth rate, along with land use maps, was used to determine EDU/connections per year on a continuing basis. The Santa Clara Creek Watershed map provided in the permit provides locations of existing city limits and extraterritorial jurisdictions of surrounding municipalities.

The proposed initial phase is 0.25 MGD. GVSUD currently has an application for wastewater service for a proposed development on a tract of land to the west and up gradient of the proposed wastewater plant within the Santa Clara Creek Watershed. The proposed development is seeking capacity for an average flow 130,000-gpd (approx. 530 EDU's). The development of this tract is anticipated to take four years. The initial phase includes commercial/industrial developments along with other anticipated initial connections, and is anticipated to have approximately 950 EDU's (228,000-gpd).

The proposed Interim phase is for 2.5 MGD, and the Final Phase is for 5 MGD. As mentioned above, a 10% growth rate was used to determine EDU/connections to the plant on a per year basis and the results are provided below.

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**WATER QUALITY DIVISION
Applications Team**

**Green Valley Special Utility District
Santa Clara Creek WWTP No. 1**

Year	Land Use	Projected EDU's	Projected Volumes (GPD)
Initial Phase: 0.25 MGD			
2016	Residential/Commercial Land Use	205	49,200
2017	Residential/Commercial Land Use	430	103,200
2018	Residential/Commercial Land Use	660	158,400
2019	Residential/Commercial Land Use	952	228,360
Phase II: 2.5 MGD			
2020	Residential/Commercial Land Use	1,047	251,196
2021	Residential/Commercial Land Use	1,151	276,316
2022	Residential/Commercial Land Use	1,266	303,947
2023	Residential/Commercial Land Use	1,393	334,342
2024	Residential/Commercial Land Use	1,532	367,776
2025	Residential/Commercial Land Use	1,686	404,554
2026	Residential/Commercial Land Use	1,854	445,009
2027	Residential/Commercial Land Use	2,040	489,510
2028	Residential/Commercial Land Use	2,244	538,461
2029	Residential/Commercial Land Use	2,468	592,307
2030	Residential/Commercial Land Use	2,715	651,538
2031	Residential/Commercial Land Use	2,986	716,692
2032	Residential/Commercial Land Use	3,285	788,361
2033	Residential/Commercial Land Use	3,613	867,197
2034	Residential/Commercial Land Use	3,975	953,916
2035	Residential/Commercial Land Use	4,372	1,049,308
2036	Residential/Commercial Land Use	4,809	1,154,239
2037	Residential/Commercial Land Use	5,290	1,269,663
2038	Residential/Commercial Land Use	5,819	1,396,629
2039	Residential/Commercial Land Use	6,401	1,536,292
2040	Residential/Commercial Land Use	7,041	1,689,921
2041	Residential/Commercial Land Use	7,745	1,858,913
2042	Residential/Commercial Land Use	8,520	2,044,805
2043	Residential/Commercial Land Use	9,372	2,249,285
2044	Residential/Commercial Land Use	10,309	2,474,213
Phase III: 5 MGD			
2045	Residential/Commercial Land Use	11,340	2,721,635
2046	Residential/Commercial Land Use	12,474	2,993,798
2047	Residential/Commercial Land Use	13,722	3,293,178
2048	Residential/Commercial Land Use	15,094	3,622,496
2049	Residential/Commercial Land Use	16,603	3,984,746
2050	Residential/Commercial Land Use	18,263	4,383,220
2051	Residential/Commercial Land Use	20,090	4,821,542
2052	Residential/Commercial Land Use	22,099	5,303,696

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WATER QUALITY DIVISION
Applications Team

EXHIBIT D

DEFICIENT SLUDGE DISPOSAL INFORMATION

Aluminum, mg/l					
Alkalinity (CaCO ₃), mg/l					

9. Facility Operator

(Instructions, Page 58)

Provide the name, license classification and level, and operator license number for the facility operator:

Not known at this time, however a certified operator will be used.

10. Sewage Sludge Management and Disposal

(Instructions, Page 58)

a. Sludge disposal method To Be Determined

Check the current and anticipated sludge disposal method or methods. More than one method can be checked.

- ☒ Permitted landfill
- ☒ Permitted or Registered land application site for beneficial use
- ☐ Land application for beneficial use authorized in the wastewater permit
- ☐ Permitted sludge processing facility
- ☐ Marketing and distribution as authorized in the wastewater permit
- ☐ Composting as authorized in the wastewater permit
- ☐ Permitted surface disposal site (sludge monofill)
- ☐ Surface disposal site (sludge monofill) authorized in the wastewater permit
- ☒ Transported to another permitted wastewater treatment plant or permitted sludge processing facility (a current statement or agreement is required, see the item below)
- ☐ Written statement/contractual agreement from the wastewater treatment plant or permitted sludge processing facility accepting the sludge is attached
- ☐ Other method (provide description):

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b. Sludge disposal site

WATER QUALITY DIVISION
Applications Team

Provide the disposal site name: Not known at this time, however a TCEQ permitted site will be used.

TCEQ permit or registration number: Not Known at this time, however a TCEQ permitted site will be used.

County where disposal site is located: Not known at this time

c. Sludge transportation method

Provide the method of transportation (truck, train, pipe, other): Truck

Name of the hauler: Not known at this time, however a TCEQ permitted hauler will be used

Hauler registration number: Not known at this time, however a TCEQ permitted hauler will be used

Transported as: ☐ liquid ☐ semi-liquid ☒ semi-solid ☐ solid

Land application for: ☐ reclamation ☐ soil conditioning

11. Permit Authorization for Sewage Sludge Disposal

(Instructions, Page 58)

a. Beneficial use authorization

Does the existing permit include authorization for land application of sewage sludge for beneficial use?

☐ Yes ☒ No No Existing Permit

If yes, are you requesting to continue this authorization to land apply sewage sludge for beneficial use?

☐ Yes ☒ No No Existing Permit

If yes, is the completed **Application for Permit for Beneficial Land Use of Sewage Sludge (TCEQ Form No. 10451)** attached to this permit application (see the instructions for details)?

☐ Yes ☐ No

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MAY 04 2015

WATER QUALITY DIVISION
Applications Team

EXHIBIT

E

since 1990

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civil, environmental & consulting

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staff

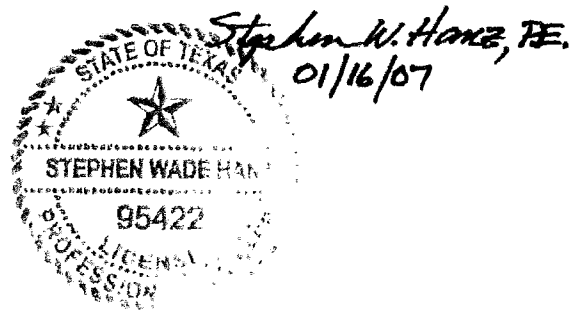
services

clients

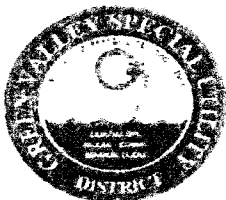
RIVER CITY ENGINEERING
CIVIL, ENVIRONMENTAL & CONSULTING

3801 South First Street, Austin, Texas 78704 Phone 512 442 3008 Fax 512 442 6522
5011 West Canyon Lane, Suite C, New Braunfels, Texas 78130 Phone 512 625 2500 Fax 512 625 2501

Green Valley SUD Wastewater Master Plan 2006



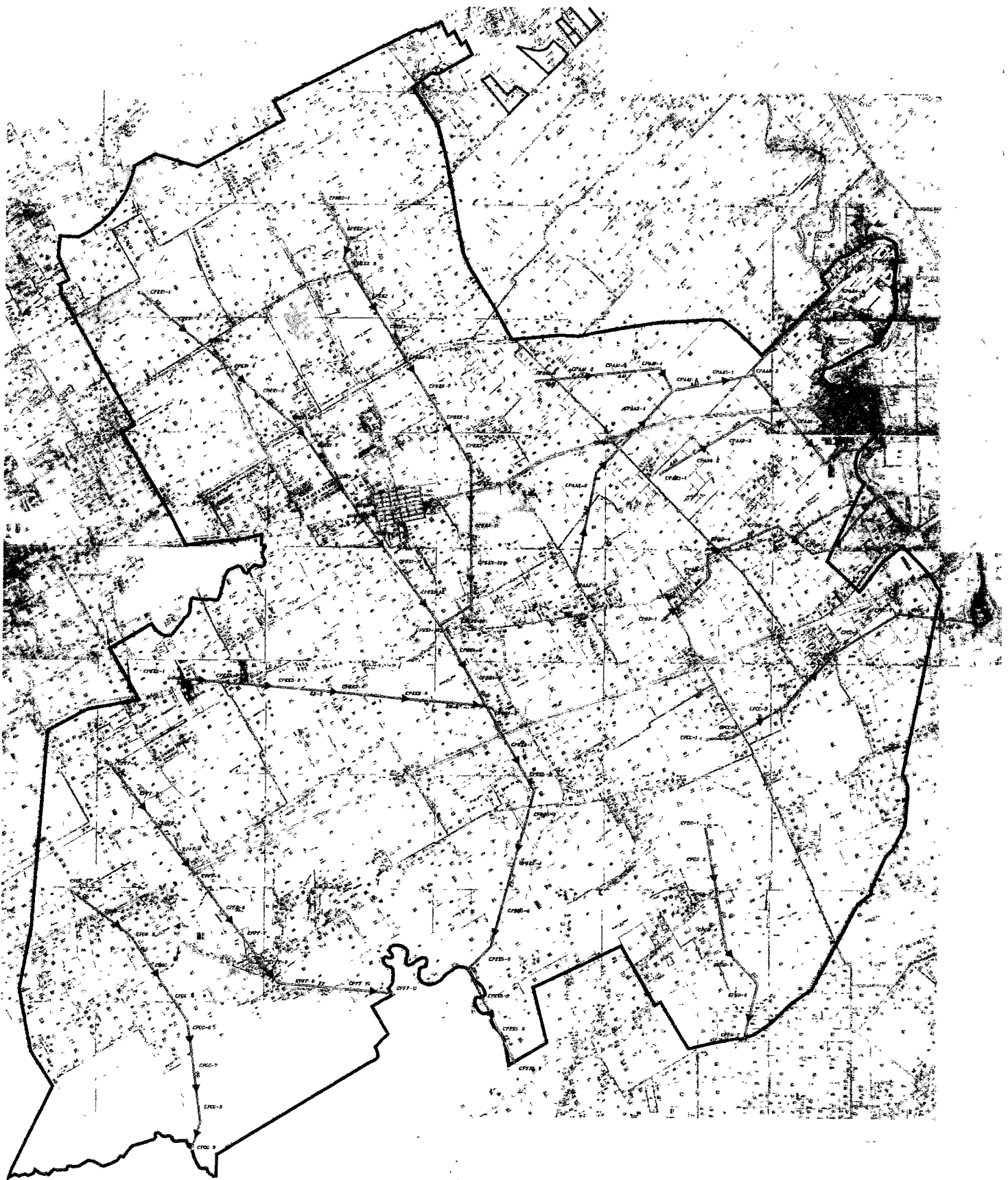
Green Valley Special Utility District



P.O. Box 99
Marion, Texas 78124-0099
(830) 914-2330
www.greenvalleysud.com



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LEGEND

- MARION BEWER CO. 2000
- CIRCLE CITY LIMITS AND 100' CO. 100'
- SPRING HILL, WIC. CO. 100'
- ORLA BEWER CO.
- EAST CENTRAL CO. 100'
- NEW BRAUNFELS CO.
- SCHERTZ WATER CO. 200'
- SCHERTZ WATER CO. 200'
- GREEN VALLEY WATER/SEWER CO.
- SEWER TRUNK

COLLECTION POINTS
CP200-1 COLLECTION POINT ID
EE-6 MAIN TRUNK ID

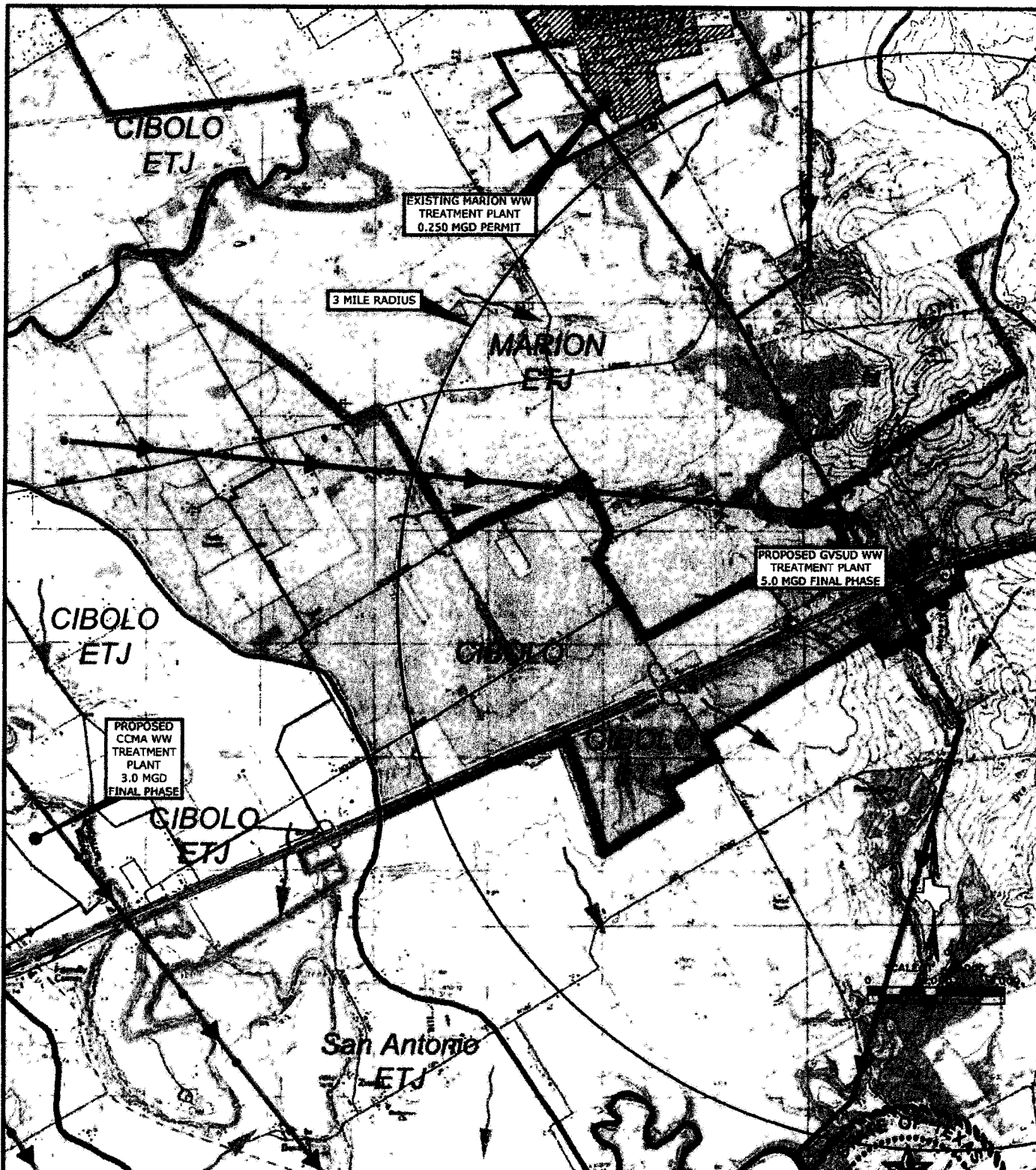


SCALE 1" = 2000'

EXHIBIT-6 GVSUD PROPOSED GROWTH AND DEVELOPMENT	
DESIGNED: SH	PROJECT NO. 6096-07 DATE: 11/2006 SHEET NO. 6 OF 6
RIVER CITY ENGINEERING, LTD. CONSULTING CIVIL ENGINEERS	
	
3801 SOUTH 7 TH STREET AUSTIN, TEXAS 78704-7047 PHONE: (512) 442-3008 FAX: (512) 442-6008	1011 W. COUNTY LINE ROAD, SUITE C NEW BRAUNFELS, TEXAS 78130 PHONE: (830) 626-3588 FAX: (830) 626-3601

EXHIBIT

F



LINE LEGEND

- CIBOLO CREEK MUNICIPAL AUTHORITY (CCMA)
- DRAIN TRUNKS
- GREEN VALLEY WATER/SEWER CO.
- COLLECTION POINTS
- MAJOR ROAD
- SANTA CLARA CREEK WATERSHED

SYMBOLS

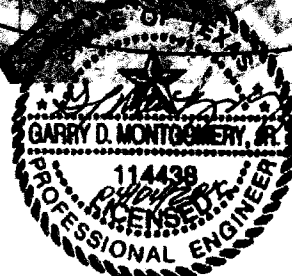
- SAN ANTONIO CITY LIMITS
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CITY LIMITS LEGEND

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CITY LIMITS LEGEND

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GREEN VALLEY SPECIAL UTILITY DISTRICT

GVSUD WASTEWATER SYSTEM
REGIONAL PLANNING
SANTA CLARA CREEK WATERSHED

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