



**To: Planning & Zoning Commission Members**  
**From: Aaron Reed – Public Works Director**  
**Date: April 26, 2022**  
**RE: Wastewater Update**

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## **I. Overview**

In October 2015, the City of Dripping Springs submitted an application to the TCEQ to convert its method of treated effluent disposal from land application to discharge into waters of the State, and to expand its wastewater treatment facilities to accommodate the aggressive growth in the Greater Dripping Springs area. The permit was contested and the case was heard at the State Office of Administrative Hearings. The City prevailed and was issued the permit on May 5, 2019 (permit WQ0014488003). However, because of pending litigation, construction of the new wastewater treatment and storage facilities are being delayed. In February of 2022, oral arguments for the case were presented to the 3<sup>rd</sup> circuit court of appeals in El Paso. The City's wastewater counsel anticipates a ruling in the case in 6-9 months. It is anticipated that the ruling from the appeal court will be appealed by the losing party to the Texas Supreme Court.

The City is concurrently pursuing a Second Amendment to our existing TLAP permit (WQ0014488001). This amendment will provide for an additional 110,000 gallons per day (GPD) of effluent disposal. The amendment would add 50,000 GPD at Carter and 60,000 GPD at Heritage. Heritage is currently designing the line to get the treated effluent to their development. Our current constructed capacity is 189,500 GPD. (127,500 GPD Drip Irrigation at WWTP + 62,000 GPD Surface Irrigation at Caliterra) Our current permitted capacity is 313,500 GPD (127,500 GPD Drip Irrigation at WWTP + 186,000 GPD Surface Irrigation at Caliterra). Amendment 2 to the permit would bring the total permitted capacity to 423,500 GPD. Due to the number of comments received on the pending Amendment 2, TCEQ required a virtual Public Meeting on March 28<sup>th</sup> at 7pm. City staff, elected officials and consultants attended the meeting as panelists and fielded questions in the unofficial comment period. Comments were then received by TCEQ during the official comment period. A number of organizations attended and submitted comments both supporting and opposing the amendment. The City is now waiting for TCEQ to determine if a contested case hearing will be required.

## **II. Summary of Subdivisions with Wastewater Service**

- **Big Sky** – Meritage Homes has a Wastewater Utility Agreement (WWUA) for Big Sky Subdivision for a total of 780 residential living unit equivalents (LUEs). The WWUA allows 256 LUEs into our existing system. The WWUA also allows for an additional 250 LUEs to be served by pump and haul. Big Sky is currently utilizing pump and haul for a

portion of their connections and the rest are going to the existing system. All additional LUEs will either be served by the East interceptor and discharge permit or a temporary TLAP onsite. Meritage homes has been issued the TLAP permit by TCEQ and it currently designing the temporary plant. The City will be required to operate the temporary TLAP.

- **Arrowhead Ranch** – Forestar Real Estate Group has a WWUA for Arrowhead Ranch subdivision for a total of 456 commercial and residential LUEs. The total amount is intended to be served by the West Interceptor and discharge permit. As an interim solution, the subdivision has built a temporary TLAP plant. The WWUA requires the City to take over operation of the TLAP once flows reach 50,000 GPD. Current flows are 32,000 GPD.
- **Caliterra** – Development Solutions CAT has a WWUA for Caliterra subdivision and Carter Ranch for a total of 189,000 GPD. The agreement provides for service in the existing system for Caliterra and service to Carter through the West Interceptor. Caliterra has a total planned 186,000 GPD surface effluent disposal and Carter will have a total of 50,000 GPD subsurface effluent disposal with Amendment 2. Caliterra also has a 12 million gallon effluent holding pond onsite that the City is able to send treated effluent to and Carter will construct a treated effluent pond with their development. The subdivision also uses effluent to irrigate common spaces that are not permitted through chapter 210 beneficial reuse.
- **Heritage** – SLF IV has a WWUA for the Heritage subdivision for a total of 700 LUEs. Stage 1 service provides for 150 LUEs into the City’s existing system. Stage 2 service allows for an additional 330 LUEs once Amendment 2 is issued and the developer has constructed all facilities to dispose of the 60,000 GPD of treated effluent. These facilities would include the treated effluent transmission line, and effluent disposal fields. Stage 3 will allow the remainder of the LUEs to serve the property once either the City’s discharge permit is issued or the developer constructs contingent facilities. The contingent facilities would include a TLAP plant and effluent disposal fields.
- **PDD 11** – DS Joint Venture has a WWUA for a multifamily project on RR-12 for a total of 70 LUEs. Phase 1 of the development will provide 56 LUEs to the project. The project is currently looking at temporary contingent facilities to serve the project until the discharge permit is issued. An OSSF permit is currently being reviewed by the City to serve phase 1. Both phases will eventually be served by the City’s discharge permit. Pump and Haul is not permitted as a temporary facility.
- **Driftwood** – The Driftwood partnerships have a WWUA for the Driftwood developments for a total of 610 LUEs. The Development will be served by the City’s discharge permit but may utilize temporary pump and haul as an interim solution. The development will construct all facilities to transmit raw wastewater to the City’s South Regional Plant and transmit treated effluent to the development. The development has also agreed to build a 15 million gallon effluent holding pond at the South Regional plant site. The first homes are under construction and the development intends to start using the temporary pump and haul. The golf course associated with the development has agreed to take treated effluent to irrigate under chapter 210 beneficial reuse. The golf course has already constructed secondary treated effluent ponds for irrigation purposes. Driftwood is retail water customers of the City.
- **Wild Ridge** – Meritage Homes has a WWUA for the Wild Ridge subdivision for 1,014 LUEs. The development will be served by the discharge permit. The development may

also apply for a temporary TLAP plant in the interim. Pump and haul is not permitted. Wild Ridge is a retail water customer of the City.

- **Anarene** – Double L Development has a WWUA for the Anarene subdivision for 3393 LUEs. The city is currently negotiating an amended agreement to contemplate treatment of the total number of LUEs. The existing approved agreement allows 256 LUEs to be treated by the current system and pump and haul for an additional 250 LUEs. It also allows for a 321 authorization to treat additional LUEs utilizing an onsite plant and effluent disposal but “borrowing” capacity from the existing permit. The agreement also allows for pump and haul of up to 250 LUEs. Anarene is a retail water customer of the City.
- **Cannon** – Cannon Family LTD has 200 LUEs in our existing system through an easement agreement. Those 200 LUEs have been dedicated to Ashton Woods for the Cannon Ranch subdivision. Cannon Ranch has a WWUA agreement for 375 total LUEs. 200 LUEs are allowed to go to the City’s existing system. The other 175 LUEs are allowed to be pump and haul until the discharge permit is obtained and flows can go to the new plant. The City is negotiating WWUAs with Cannon East and Cannon commercial (Oryx). All three developments will be retail water customers of the City.