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Springs

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TEXAS SUPREME COURT ISSUES DECISION IN FAVOR OF DRIPPING SPRINGS' WASTEWATER DISCHARGE PERMIT

The Ruling Allows the City to Move Forward with Its Critical and Highly Anticipated Wastewater Expansion Project for the Rapidly Growing Community

DRIPPING SPRINGS, TEXAS – April 11, 2025 – After a lengthy and thorough review of the findings, the Texas Supreme Court has ruled in support of the City of Dripping Springs' wastewater discharge permit, which was issued by the Texas Commission on Environmental Quality (TCEQ) in 2019. The Save Our Springs Alliance (SOS), an often-litigious, local environmental group, had filed a lawsuit asking the Court to rule against the permit. Oral arguments were heard October 1st with the final decision handed down today.

"This is a significant day for the City of Dripping Springs and our community as a whole," said Mayor Bill Foulds. "We have been working on this for 12 years. Our responsibility is to care for our residents and protect our natural resources, while planning for the growth that continues to come our way. I am grateful the Court saw the wisdom in the science and engineering we have conducted throughout the process. We have worked with the best experts in the country including hydrologists and engineers, and I think that was evident today."

SOS' contention was that the permit violated a subset of Texas' water quality standards that apply to Onion Creek. It was determined today through the Court's ruling that their argument was simply not supported by the science.

The City is now able to move forward with the much-needed expansion of its South Regional Wastewater System. It also allows the City to continue using treated effluent produced by the plant to irrigate parks and open space. Many of these spaces are currently using drinking water for irrigating purposes, which is not sustainable or the right long-term solution.

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“SOS was asking the Court to make a huge environmental decision based on the inaccurate information they continued to provide rather than the science and expert studies we have conducted to date,” said Deputy City Administrator Ginger Faught. “If they had ruled against us, it would have had a crippling effect not only on our community, but cities and other entities around the country regarding their ability to proactively plan and protect the citizens they serve. The precedent it would have set would have been incredibly dangerous for all organizations responsible for delivering these services.”

What’s been lost in the discussion is the commitment Dripping Springs has made to beneficial reuse and other sustainable strategies to address its growing wastewater capacity crisis. In addition to the permit, it has signed contracts with various developments in the area to accept the treated effluent that will be produced by the wastewater facility. Now that the City has full access to its permit, more developments will be able to use effluent for its watering needs rather than potable water.

“We have remained completely focused on our efforts during this lengthy process. We have not been idly standing by; we cannot afford to do so. We have our design and construction plans ready to go, and we are ready to bid the work. It’s long overdue for our community,” said Faught.

The City will hold a virtual press conference on the decision on Tuesday, April 15, at 3:00pm. A link to the press conference is below. For all media inquiries on this release, please contact Lisa Sullivan at lsullivan@cityofdrippingsprings.com.

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City of Dripping Springs Zoom Press Conference

Topic: Supreme Court Decision Wastewater Discharge Permit

Time: Apr 15, 2025, 03:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/86964004727?pwd=qPzFY6tV3tK7YqACpD33J5Q2qFu7mA.>

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Meeting ID: 869 6400 4727

Passcode: 992307