

Angela Mackert

Subject: Comments on TCEQ Edwards Aquifer Protection Program / 30 TAC Chapter 213

I am a Texas resident who relies on the Edwards Aquifer for drinking water, springs, creeks, and the long-term health of the Hill Country. I appreciate TCEQ holding this annual hearing under Texas Water Code §26.046 and urge the Commission to strengthen Chapter 213 rather than treat current rules as sufficient.

The Edwards Aquifer is a karst limestone system. Contaminants can move quickly from the surface into groundwater through recharge features, fractures, and streams. That is why development, wastewater, and stormwater over the recharge, contributing, and transition zones are not ordinary land-use issues. They are drinking-water issues.

I ask TCEQ to take the following actions:

Prohibit new TPDES wastewater discharges in the Edwards Aquifer Contributing Zone, not only the Recharge Zone. Effluent changes the chemistry of oligotrophic Hill Country streams through nutrients, ammonia, pharmaceuticals, and other unregulated contaminants. Those streams then recharge the aquifer. Current Chapter 213 treatment of the Contributing Zone as a mere "conveyance" zone is outdated. Studies show substantial inter-formational flow from the Trinity/upper Glen Rose into the Edwards.

If TCEQ will not ban discharges, require far stricter effluent limits and reuse first. At minimum: 5 mg/L BOD, 5 mg/L TSS, 2 mg/L ammonia-nitrogen, and 0.001 mg/L total phosphorus, plus a One Water / 100% beneficial reuse preference so effluent is not used as a default stream discharge.

Adopt numeric impervious-cover limits in Chapter 213: no more than 10% of net site area in the Recharge Zone and 15% in the Contributing Zone, unless an applicant proves equal or better protection through permanent BMPs, buffers, and long-term maintenance. Impervious cover increases runoff volume, pollutant load, and flood risk while reducing clean recharge.

Require meaningful buffers around streams, springs, caves, sinkholes, and other sensitive features identified in geologic assessments. Temporary silt fence is not enough in karst.

Expand pollutant standards beyond total suspended solids. TSS removal alone does not protect the aquifer from nutrients, metals, petroleum hydrocarbons, pesticides, or PFAS. Chapter 213 and RG-348 should require monitoring and treatment for these contaminants, especially given EPA drinking-water MCLs for PFAS.

Strengthen enforcement and post-construction BMP maintenance. Permanent water-quality controls fail when they are not inspected, cleaned, and repaired. TCEQ should require regular third-party inspections, public reporting, and real penalties for noncompliance.

Do not weaken protections for wastewater land application, produced water, or injection-related activities over the recharge and contributing zones. Karst does not give TCEQ a margin for error.

Open a formal stakeholder process to update Chapter 213 and RG-348 using current hydrogeology, endangered-species water-quality recommendations, and growth data from Hays, Comal, Kendall, Travis, Williamson, and Bexar counties.

The Edwards Aquifer supplies drinking water for more than two million people and sustains Comal and San Marcos springs. Once polluted, karst groundwater is extremely difficult to clean. TCEQ should use this annual comment process to modernize the rules so they match the science and the scale of development now occurring over the aquifer.

Thank you for considering these comments.