



City of Wimberley

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Steve Thurber, Mayor - Cindy Anderson, Mayor Pro-Tem
Council Members - Bob Dussler, Mac McCullough, Pam Showalter, John White
Don Ferguson, City Administrator

FOR IMMEDIATE RELEASE

On Tuesday, September 29, 2015, the City of Wimberley, the Blanco River Cypress Creek Water Association, the Paradise Valley Property Owners Association, Rocky River Ranch, and KKP3237, LLC reached a settlement agreement in the contested proceeding on the City's proposed wastewater discharge permit application pending before the Texas Commission on Environmental Quality. With the settlement, the parties will be able to dismiss the case, allowing the City to move forward with financing and constructing the proposed wastewater treatment plant and collection system to serve the downtown area.

The settlement agreement requires the City to only discharge the treated wastewater into Deer Creek as a last resort, when the ground is saturated or frozen or no storage is available. The City intends, among other things, to maintain a 500,000 gallon storage facility, to expand irrigation within the Blue Hole Regional Park and to distribute the treated water to downtown for irrigation. The City has also agreed to not expand the treatment capacity at the plant beyond 75,000 gallons per day, to use UV disinfection, and to install a denitrification unit at the plant to limit the total nitrogen in the treated wastewater. Additionally, the settlement agreement requires the City to continue quarterly sampling in Cypress Creek and the Blanco River for certain specified constituents and to post those results to the City's website. The City will also sample any treated wastewater that is discharged for nutrients, and will sample the wastewater on an annual basis for emerging contaminants and toxic heavy metals.

"While the Blanco River-Cypress Creek Water Association, and the other protesting parties, would have preferred the City maintain its current status of a land application permit which is more protective of waterways, we are pleased that the Agreement not only legally binds the City to promises it made to the public to protect the Blanco River and Cypress Creek, it requires additional measures to treat the effluent to higher standards and limit discharge. We think it is especially important that the Agreement caps the size of the plant and has action-forcing mechanisms to expand the irrigation area when discharge occurs and certain triggers are met, which will help ensure responsible irrigation practices and minimize discharge into the Blanco River. The Agreement also includes measures to reduce the potential formation of algae by limiting the nitrogen and phosphorus concentrations of the wastewater," said the Association's president, Gail Pigg.

Mayor Steve Thurber praised the efforts of the City, the Wimberley community, and the wastewater stakeholder committee. The Mayor also expressed his appreciation for parties' time and effort throughout the mediation process. "The City and this community are committed to protecting its natural resources and Cypress Creek and the Blanco River. With the settlement,

the City is about to accomplish something this community has been working towards for over twenty years – to address the failing septic systems in the downtown area by bringing centralized sewer service to the area,” said the Mayor.

The City also approved a settlement agreement with Aqua Texas at the City Council’s special meeting on Tuesday, September 29, 2015. The parties will now request that the judges remand the permit application to the Executive Director of the TCEQ for issuance in a manner consistent with the settlement agreements.