



TCEQ considers first private permit, but many more await

EDITORIAL

Behrends. Lochte. Sagebiel.

These are just a few of the surnames with deep local roots who spoke Monday at the Texas Commission on Environmental Quality's public hearing on a permit to let a private business dispose of effluent into the Pedernales River.

Those in attendance asked good questions, some more scientific, dealing with algae bloom and phosphorus levels, others dealing with water flow. But the overriding concern seemed to be that this would be the first of who knows how many permits sought by private entities to use the Pedernales River for waste disposal.

Arch Ray, by all accounts, is wellcapitalized and seems to be doing the right thing with the filtration system it has installed. That, no doubt, was a significant investment along with its other facilities along U.S. 290 East. But the permit sought doesn't cover its adjoining tiny home or RV additions, and additional residential plots may be added, as well. A spokesman said he was unsure at this point if they would apply for additional permits to handle the other parts of the large development, adding a septic system may suffice.

But if Arch Ray doesn't ask for additional river disposal permits, others likely will in time. And that's concerning.

— We appreciate TCEQ holding the hearing and allowing the public to give its input, no matter what the future holds.

But TCEQ also pointed out its own monitoring and testing limitations. That agency has worked slowly to resolve a local issue when one landowner further up the Pedernales installed his own private dam. That landowner is now being retroactively allowed to apply for a dam permit to the dismay of his neighbors downstream. (A final decision on whether it must be destroyed or a fine paid has yet to be decided.)

TCEQ also works slowly — glacially, some might say. Responses at the bureaucracy take a lot of time. And even the agency's own funding, dictating its oversight capabilities, are subject to the whims of fickle politicians, a few of whom would cut the agency out of spite or for political gain. And that is as discomfoting as issuing a private discharge permit.

— The State of Texas has allowed these scenarios due to the limitations it places on counties concerning development. That's why development outside the county can seem like the wild west. The county has little control and developers can do what they darn well please. And a few have done so, even affecting waterways, taking an approach of "I'll ask for forgiveness rather than permission."

We're grateful for the Gillespie County Commissioners Court ordinance last week calling for an extra

permission step concerning potential “dump ground next door.” It’s an important protection for landowners who may suddenly have unscrupulous neighbors.

It begs the question: Why do we people in the Capitol decide what’s best for land use in Gillespie or any other rural county?

Other big developments are planned in this area. The county, led by local people elected to represent its best interests, deserves a say in how these are implemented. Otherwise, every business idea benefitting a few private interests will come with environmental impacts that affect the entire population and beyond, in the case of a river. — An Arch Ray spokesman at Monday’s meeting said the owners are looking at every avenue as to how to best dispose of the waste, even considering using city services. We don’t question their sincerity.

One resident made a sage comment (and we’re paraphrasing): “For years, the vastness of the ocean made it so that we considered it unpollutable. But we’ve seen what has happened over decades. But here, with the very limited flow of the river, what effect will this have downstream for wildlife and for people?”

We hope for the best solution. We hope for the best option for the people of Gillespie County, and not necessarily the least expensive one. We hope this for the generations who have been here and those who want to see their land remain as unaffected as possible with the change that is coming. — K.E.C.

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