

Agreement reached on Bull Hide Creek water treatment facility

By J.B. Smith Tribune-Herald staff writer

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The dispute between Waco-area cities and a neighborhood group over a proposed sewer plant on Bull Hide Creek is headed toward a settlement, just weeks before the case was to go before a state judge.

The Bull Hide Creek Clear Water Coalition and the Levi Water Supply Corporation recently reached an "agreement in principle" to end their fight against the Waco Metropolitan Area Regional Sewer System's plant in exchange for certain protections. The settlement must be officially approved before Friday by all the parties' governing boards, including the Waco City Council, which will vote on it Tuesday.

Under the settlement, the regional sewer system must build a small wetland for water quality, control light and noise, pay for independent water sampling in the creek and put deed restrictions on the 230-acre sewer-plant site. The city also agreed to support possible efforts to create a park on the unused portion of the site, which is northeast of Lorena.

Waco City Manager Larry Groth said the requirements are reasonable and should cost about \$50,000, excluding the cost of the wetland, which has not been estimated. The settlement will cost far less than fighting the residents through the state-contested hearing, which was to begin Oct. 19 in Austin, Groth said.

More important, Groth said the settlement will end the delay in building the plant that will serve Lorena and Hewitt. Lorena has been under a growth moratorium because of its inadequate sewer plant. Hewitt has long been a part of the centralized regional sewer system, but it has suffered sewer-main-capacity issues that the new plant will ease.

Leaders of the Bull Hide Creek group and Lorena Mayor Chuck Roper deferred comment on the settlement, saying it was not yet official.

Agreement in works

The Bull Hide coalition's attorney, David Frederick of Austin, said he expects all the parties to ratify the agreement by week's end. He said the agreement in principle was hammered out in a 13-hour session among the parties Sept. 17.

"Our people would prefer that there be no wastewater discharge at all into Bull Hide Creek, but it was very unlikely that the (Texas Commission on Environmental Quality) would just deny the permit," Frederick said. "We were willing to retreat to the position where we believe the quality of the water entering the creek will be substantially better coming into the creek than it would have been without the agreement."

Levi Water Supply Corporation President Purdis Medlin said he expects his board will approve the settlement this week, though not willingly. He said sewer-plant opponents could have won a contested case hearing, but they “threw in the towel” only because they couldn’t raise enough money to fight Waco.

‘A total loss’

“It’s a total loss for Levi Water Supply,” he said. “We’re just settling for what we can get. The only thing that would satisfy us was if they didn’t put it down there.”

The rural water supplier has wells near the creek, but they extend hundreds of feet beneath the surface.

Medlin said he believes property values will decrease with the plant, and he blames the news of the plant for a slowdown in homebuilding.

“We haven’t sold a new meter since we started this whole thing,” he said. “Nobody is going to buy a house next to a sewer plant.”

Officials with the regional sewer system say fears of the sewer plant creating a nuisance are unfounded. They say they bought 230 acres for the plant to buffer it from its rural neighbors. They say the plant will have minimal smell, and its sludge will be trucked to the main plant, not dumped on site.

The Bull Hide Creek plant is permitted for 1.5 million gallons per day, about 4 percent of the capacity of the main treatment plant on the Brazos River. The permit must be renewed in five years.

Agreement’s points

The agreement seeks to address residents’ concerns about water pollution, smell, noise, light and land use. Among its main points:

- The plant will funnel the treated effluent into an off-channel wetland that can contain three days of normal flow. The two-acre wetland will use water plants to filter and “polish” the treated water before it enters the stream.
- The cities will pay Levi Water Supply Corp. \$10,000 a year to monitor nutrient pollution levels upstream and downstream of the plant.
- The cities will pay to replace and encase Levi’s water lines that cross the creek.
- The plant must be electronically monitored for malfunctions at all times, and a licensed operator must be within 20 minutes of the plant at any time.

- The plant will be built with directional lighting and with enclosures for loud machinery and sludge-handling areas.
- The cities will put deed restrictions on the land, limiting its future use to agriculture, green space, parkland or residential development. They will also support any efforts to create a county park by providing land and low-cost irrigation water from the plant effluent.

Groth said parties to the settlement discussed the long-term possibility of ballparks on the land. County Commissioner Kelly Snell, who was involved in those discussions, declined comment pending the complete approval of the settlement.

Frederick, the Bull Hide alliance's attorney, said the settlement will at least ensure strict standards and monitoring for the effluent released into the stream.

"I think the city is legitimately interested in seeing how well this works," he said. "Nobody really has any affirmative desire to screw with a creek."

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