

## **McLennan County commissioners speak out against Bull Hide Creek sewage plant**

By Regina Dennis Tribune-Herald staff writer

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The McLennan County Commissioners Court passed a resolution Tuesday opposing construction of a new sewage treatment plant at Bull Hide Creek, bucking area city leaders who are hoping to move the project forward.

Some dismayed city leaders hinted that the resolution could cost the county negotiating power in some interagency business dealings that the cities must approve.

While the measure itself does not halt construction on the new plant, proposed to be built on a 232-acre tract of land just north of Lorena, it may be considered by the Texas Commission on Environmental Quality when it decides whether to issue a building permit for the project in a hearing this October.

The project is headed by Waco Metropolitan Area Regional Sewer System, which includes seven cities in the county. The proposed plant would replace an outdated sewage plant in Lorena and treat up to 1.5 million gallons of water from Lorena and Hewitt daily.

Precinct 1 Commissioner Kelly Snell, who sponsored the resolution, said he was concerned that the interests of Bull Hide Creek residents had been ignored by the regional sewer system.

“There needs to be better communication about everything that’s going on with this project,” Snell said. “I would like us to have a work session with the commissioners court, WMARSS and the Bull Hide Creek residents, and everyone can bring a list of their issues and we could come to a resolution about this thing.”

Representatives from WMARSS’s member cities, including Waco Mayor Virginia DuPuy, Waco Assistant City Manager Wiley Stems and Hewitt City Manager Adam Miles, were dismayed at the resolution. Stem said he’s puzzled at what triggered the commissioners to weigh in on the project.

“We had very little notice about this,” Stem said. “We wish Commissioner Snell had come in and talked to us first about his concerns.”

Snell said he had reached out to WMARSS to possibly set up a round-table discussion about the sewage plant.

Stems said he believes the resolution will have no effect on the state permitting process.

The regional sewer system will face the Levi Water Supply Corp. and a group of Bull Hide Creek neighbors in October over a state-contested case hearing about the sewer plant permit. In a procedure similar to a civil trial, administrative law judges will consider testimony as to whether the permit meets the state's environmental regulations. They then will make a recommendation to the three-member TCEQ board.

The public comment period for that permit already has passed, and parties to the hearing have been chosen.

McLennan County does not have standing as a party, and Stem said the county has been cooperative in the project until now.

For example, after buying the Bull Hide property, WMARSS gave the county right of way to build the new bridge on Cooksey Road over the creek. The county gave WMARSS an easement through the Precinct 1 county yard for the sewer line and was promised a tap into the line.

County Judge Jim Lewis, who, along with Commissioner Ray Meadows, voted against the resolution, brought up that fact in court. Commissioner Lester Gibson countered that an in-depth analysis of the Bull Hide Creek issue had not been undertaken when those actions were approved.

"We may have approved those actions, but there was not a complete discussion of what the entire impact of this was going to be," Gibson said. "I'm learning more now than what has ever been disclosed to us."

Miles, Hewitt's city manager, said he was frustrated with the commissioners court meeting, to which WMARSS member cities weren't invited, he said.

"I don't understand how it almost got to be a mock trial about Bull Hide Creek," said Miles. "It was a political decision. I don't know what the legal ramifications are."

Miles said about 13,000 Hewitt residents would benefit from the sewage plant. In court, he urged the commissioners to reconsider passing the resolution, saying that he would want the county to continue having a good business relationship with the city of Hewitt.

Some members of the court viewed his remarks as indication that there could be some political backlash if the resolution passed. The county will go before the city of Hewitt next week for approval of a building permit for construction of a radio tower that will back up the Waco-McLennan County 9-1-1 Emergency Assistance District. And the city of Waco has yet to approve a permit to build a new jail visitation center on State Highway 6.

"If we vote against their project, then ask the city of Hewitt to approve our building permit, they could say 'No,' and we're out \$100,000 on our radio tower," Lewis said. "We have to be neighbors."

Snell said he thinks yielding to such pressure is contrary to the court's mission.

"I think that circumvents proceedings that benefit constituents," Snell said. "My job is to represent the people in my district, even if they are a small group that may not have the largest numbers, because one day, you might need their support down the line."

Kevin Helpert, president of the Bull Hide Creek Clear Water Alliance, said he believes the resolution may have considerable weight in the hearing with the state this year.

"We had hoped to get some kind of support from our elected officials to work on our behalf because we had such a small voice in this issue, so we owe a large debt of gratitude to Commissioner Snell, Commissioner Gibson and Commissioner (Joe) Mashek for being the first elected officials to take this stance," he said.

Helpert told the commissioners court he felt WMARSS had not done enough research into the potential impact the sewage plant could have on Bull Hide Creek.

The 585 homes in the area run on septic sewer systems but receive their drinking water from the Levi Water Supply Inc., which has a well stationed 150 feet from the creek's bottom.

Helpert said Bull Creek residents would prefer that the plant be moved closer to the cities that would benefit from it, or, if it must be placed in Bull Creek, that it would adopt newer technologies that ensure cleaner sewage treatment.

"I don't think anybody in this room can guarantee me that in no way possible that contamination cannot happen," Helpert said. "Once a spill occurs and sludge gets into the stream, it's too late. You can clean it up, but you're not going to get all of it. And that's our drinking water."

**Staff writer J.B. Smith contributed to this story.**

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