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OPA  
DEC 16 2002  
BY *KG*

Tom Aycock  
PO Box 462  
Pharr, Tex 78577  
956 787 3801  
Mobile 956 330 9809  
Texmextom@Aol.com

2002 DEC 13 PM 3:03  
CHIEF CLERKS OFFICE  
TEXAS COMMISSION  
ON ENVIRONMENTAL  
QUALITY

12/9/2002

Dear Sir:

The application of the Taiwan Shrimp Village Association and Arroyo Aquaculture Association permit No. 03596 for a change in their discharge requirement is a absolute ecological disaster. If granted this permit will result not only in the degradation of the Arroya Colorado water quality but also that of the Laguna Madre. It is my firm belief that the last time these polluters were allowed to discharge into the Arroya we saw numerous blooms of Black tide which severely effected the sea grasses in the Laguna Madre as well as almost destroying the Sports Fishing industry..

This discharge must not be granted. I urge you to grant not only a public hearing but also a contested hearing. I will assure you that if this permit if granted will be fought in the legislature and in the Courts.

Please do not allow this company to destroy our Laguna Madre and the Arroya Colorado!

Respectfully  
*Tom Earl Aycock*  
Tom Earl Aycock

*TA*

20766

**VALLEY PSYCHIATRIC CLINIC**

ROBERT O. COLLIER, M.D.

Diplomate, American Board of Psychiatry & Neurology

1901 Bell Street, Suite B  
Harlingen, Texas 78550  
(956) 428-1971  
(956) 428-1948

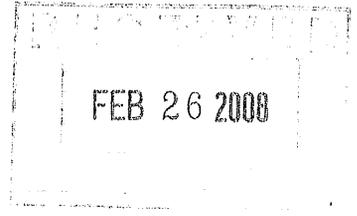
*1WD  
25991*

866 West Price Road  
Brownsville, Texas 78520  
(956) 541-2974  
(956) 428-1948

February 14, 2008

OPA

*H* FEB 29 2008



BY *[Signature]*

Texas Commission on Environmental Quality  
Attn: Ms. LaDonna Castanuela  
P.O. Box 13087  
Austin, Texas 78711-3087

Re: Taiwan Shrimp Village Association, Inc. and Arroyo Aquaculture Association, Inc.  
TPDES Permit No. WQ0003596000

Dear Sirs:

I am requesting a contested case hearing in regards to this matter. I am unfortunately an affected person by the fact that my second home, where I spend many nights trying to enjoy the scenery and the water, is unfortunately 50 yards east of the dumping ditch for the filth farms, also known as Taiwan Shrimp Village and Arroyo Aquaculture Association. A legal description of my property is Abstract 3-unsubdivided lots 7 and 8, SH-19TR-49. The decision of the Executive Director is a travesty. The point source pollution from the filth farms is gross. Most evenings, well after nightfall, one can sit on the fishing pier and note a crud line of discharge from the dumping ditch that slowly spreads like an ugly stain across the water, upstream or downstream, depending on the tide. The discharge is comparable to sewage, dirt, shrimp and fish feces, rotted food and rotted crustation, large chunks of algae, and fish particles. God only knows the chemical makeup of this brew.

I have enclosed a well written article from another one of our expensive and incompetent state agencies describing the months of "dead zone" we experienced last spring and I am quite certain that while there are certainly other sources of pollution into the Arroyo Colorado, that the shrimp farms are far and away the worst, and for that we can thank the Texas Commission on Environment Quality. I have enclosed a copy of the article to which I refer. I have yet to see a chemical analysis of the food that is grown in these shrimp farms, although certainly one may exist, and I would welcome a copy.

These lands for decades were blanketed with herbicides, pesticides, and most likely heavy metals many years ago and one can assume that these chemicals leech from the soil. I am quite certain that you pass the buck and ignore analyzing the shrimp and fish grown in these ponds, and also as best I know, you have not done any analysis at the point source of pollution, i.e., the discharge from the dumping ditch.

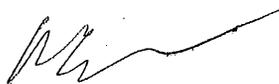
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2008 FEB 29 AM 9:29  
CHIEF CLERK'S OFFICE

*[Handwritten initials]*

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In closing, increasing the discharge of filth from the shrimp farms into the lower part of the Arroyo Colorado is a further malfeasance on the part of the Texas Commission on Environmental Quality. Sadly I must assume that the correct lobbyists have been paid and the correct contributions made to the legislators who oversee this area and this commission and that this directive is most likely a "done deal." I hope to live long enough that pimping for polluters will be extinct, but I am afraid it is going to be a close race.

Sincerely,



ROBERT O. COLLIER, M.D.

ROC:tm

# Water worries

## State: Segments of Valley waters have pollution problems

By MELISSA McEVER  
melissam@valleystar.com  
956-430-6252

The Rio Grande Valley's mighty river, arid inland waterway and environmentally sensitive bay all have segments with pollution problems that could impact people and marine life, according to a state list of impaired water bodies.

Portions of the Rio Grande, the Arroyo Colorado and the Laguna Madre have low dissolved oxygen and high bacteria levels, and in some areas the problem is growing, says a report released in June by the Texas Commission on Environmental Quality. The agency issues its Texas Water Quality Inventory every two years, along with a list of water bodies that have segments out of compliance with federal water-quality standards.

In the latest inventory, TCEQ used water-sampling data from 1999 to 2004 to determine which waterways were out of compliance, said Brenda Archer, water-quality monitoring team leader for TCEQ.

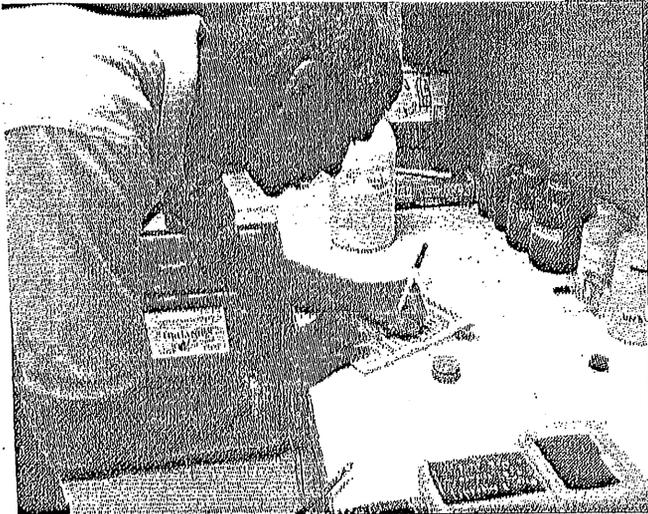
"It's a summary of the problems we found," Archer said. "We're trying to handle everything on the list, looking at how we can improve water quality or get more

See WATER WORRIES ★ A6



Joe Hermosa/Valley Morning Star

Above: Chris Caudle, aquatic scientist with the Texas Commission on Environmental Quality, uses a black light Friday to check water samples for bacteria at TCEQ's water lab in Harlingen. Caudle regularly takes samples of the Arroyo Colorado, the Rio Grande and Gulf of Mexico waters to check for contaminants as part of the Clean Rivers Program. Left: Chris Caudle writes down information from a data display monitor after calibrating a multi-probe instrument at TCEQ's water lab in Harlingen on Friday. The instrument is used to measure temperature, pH levels and dissolved oxygen.



# WATER WORRIES

FROM A1

information about the problem."

## ARROYO COLORADO

According to TCEQ's 2006 water-quality inventory — the newest report — the troubled Arroyo Colorado, which originates in Mission and empties into the Laguna Lake, continues to have significant pollution problems. The freshwater segment of the waterway for years has had high levels of fecal coliform bacteria — indicating the presence of human or animal waste in the water — but the 2006 list says the problem might have extended downstream to the portion that mixes with the Arroyo Grande.

Once again, it's possible that heavy rains in 2001 skewed the data, suggested Rocky Freund, deputy executive director for the Coastal Bend division of the Nueces River Authority. The agency is in charge of gathering water-sample data from the Lower Nueces-Rio

Grande Coastal Basin, which includes the Arroyo Colorado. "Whenever there's a rain event, it causes a lot of runoff ... which can cause a spike in bacteria," Freund said.

The downstream portion of the arroyo also is plagued with low dissolved-oxygen levels, choking out fish and marine life.

The arroyo's pollution problems are so severe that the Environmental Protection Agency has required the development of a "watershed protection plan" to address the causes. The plan is a more workable solution than imposing strict regulations on the waterway that would be impossible to meet right now, TCEQ officials have said.

Several elements have combined to make the arroyo polluted and toxic to fish, including agricultural runoff, discharge from wastewater-treatment systems and the proliferation of oxygen-choking plankton.

The completed Arroyo Colorado Watershed Protection Plan, submitted to TCEQ in January, proposes several projects to reduce polluted

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agreements with cities along the arroyo. NADBank already has funded a major wastewater-plant improvement project in San Benito, and other cities also have received some funding to update their wastewater plants, officials say.

### RIO GRANDE

The Rio Grande made several appearances on TCEQ's "impaired list," but only a couple of segments are in the Rio Grande Valley area. Since 1996, the stretch between the Rancho Viejo floodway and the El Jardin Pump Station in Cameron County — about 7 miles of river — has been on the list for high bacteria levels, according to TCEQ.

A tributary of the Rio Grande — Arroyo Los Olmos in Starr County — also is on the list for bacteria.

Several segments of the Rio Grande in Zapata, Val Verde, Presidio and El Paso counties made the list for bacteria levels and dissolved solids.

A once-troubled section of the Rio Grande is faring better now, though, according to

## 2006 Impaired Water Bodies

Every two years, the Texas Commission on Environmental Quality releases a list of rivers, streams and other water bodies that have areas out of compliance with the Clean Water Act. Several Valley water bodies were on the 2007 list.

The main problems in Valley water bodies are low dissolved-oxygen levels, high bacteria levels. Dissolved oxygen in water is necessary to keep marine life alive. Oxygen levels become low as a result of high temperatures, lack of movement in the water, and the presence of planktonic oxygen-absorbing organisms. Fecal coliform bacteria comes from human and animal waste.

Some portions of the Arroyo Colorado and the Donna Reservoir also have "legacy pollutants," toxic chemicals, like banned pesticides, that persist in the environment long after their use was prohibited. Some parts of the Rio Grande and the Gulf of Mexico were taken "impaired" list this year because their water quality has improved.

### ARROYO COLORADO

Tidal from Laguna Madre to 100 meters downstream of Cemetery Road

Habitat Bacteria

Low dissolved oxygen

From Cemetery Road, Cameron County to FM 2062, Hidalgo County.

Bacteria

Legacy pollutants in smallmouth buffalo

### RIO GRANDE

Below Falcon Reservoir from Rancho Viejo floodway to El Jardin Pump Station

Bacteria

### Donna Reservoir

Irrigation reservoir pumped from Laguna Madre near City of Donna

Legacy pollutants in fish tissue

### ARROYO LOS OLMO

In Starr County

Bacteria

### LAGUNA MADRE

Low dissolved oxygen

Bacteria (in oyster waters)

### GULF OF MEXICO

Port Mansfield to Port Isabel

Mercury in fish tissue (king mackerel)

### Taken off the list

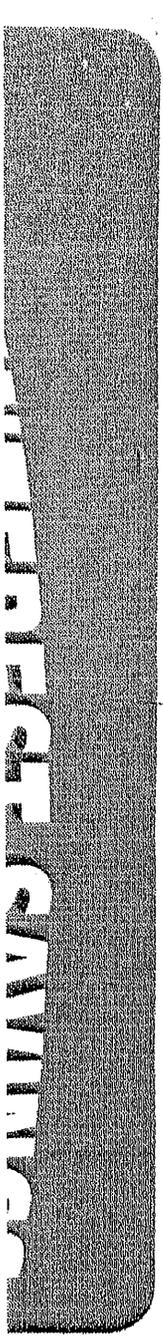
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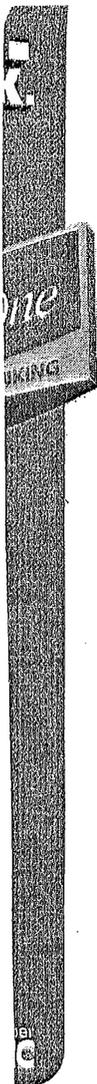
**GULF OF MEXICO**  
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## What TCEQ recommends

**RECREATION** — Keep this list in mind when choosing where to swim, boat or fish. You might want to steer clear of high-bacteria areas when swimming.

**FISHING** — The Texas Department of State Health Services recommends consumption of smallmouth buffalo from the Arroyo Colorado upstream from Port of Harlingen and king mackerel from the Gulf of Mexico. Fishing is currently closed in the Donna Reservoir. Oyster harvesting is currently closed in the Laguna Madre.





\$49,999;  
to open a  
per month  
bills.

ment of the river from the Pharr International Bridge to Santa Ana National Wildlife Refuge was on the list for high bacteria levels, and the agency reported concerns over drinking water drawn from the area. That segment is off the 2006 list completely.

Although pollution problems persist in the Rio Grande, the situation is improving, said Carlos Rubinstein, Rio Grande watermaster and area director for TCEQ Region 15, which includes the Valley.

"We've had infrastructure improvements on both sides of the river and those will clearly assist in water quality," Rubinstein said.

However, he added, those improvements might not be enough to get the Rio Grande off the impaired list completely. Many elements influence the Rio Grande's water quality, and the United States only has partial control over those elements, he said.

Several cities in Mexico routinely discharge wastewater into the Rio Grande, and agricultural runoff also makes its way into the river, he said. Failing septic tanks, wildlife pressures and a variety of other polluters — even people overfertilizing their lawns — all contribute to the problem, Rubinstein said.

NADBank has recently funded wastewater-improvement projects in Ciudad Acuña, Nuevo Laredo, Matamoros and Reynosa, which could help improve the Rio Grande's water quality, TCEQ officials said.

"We have the right kinds of investments in place," said Steve Niemeyer, TCEQ policy analyst for border affairs.

Valley residents can make a difference in the Rio Grande's water quality,

Rubinstein said. "Ask yourself, what am I doing to degrade the water quality?" he said. He suggested fixing ailing septic tanks, cleaning up after pets and carefully considering what chemicals you use on your lawn.

"What we do individually affects the river," Rubinstein said.

#### LAGUNA MADRE AND GULF OF MEXICO

The Laguna Madre is on the impaired list for two reasons: bacteria levels in oyster waters and low dissolved oxygen levels near the Arroyo Colorado.

Most of the state's bays were put on the impaired list in 2006 because the Texas Department of State Health Services has concluded that oysters in the bays might contain bacteria or biotoxins like red tide. Harvesting oysters in all bays but Galveston Bay is currently prohibited, according to DSHS.

TCEQ plans to investigate bacteria contamination in the Laguna Madre's oyster beds at some point in the future, Archer said.

The bay also has low oxygen levels at its confluence with the Arroyo Colorado. The state is currently trying to determine whether a shallow estuary system like the Laguna Madre should be subject to the same water-quality standards as other water bodies, or if those standards should be adjusted.

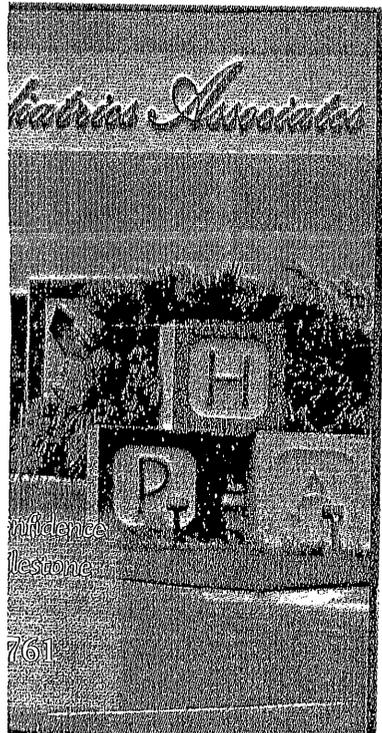
In earlier surveys, TCEQ determined the bay is still safe for recreational and general use.

The Gulf of Mexico also appears on TCEQ's list because of mercury levels in one type of fish — the king mackerel. DSHS issued an advisory in 1997 that people should limit intake of king mackerel from the Gulf.

One water-quality parameter has improved in the Gulf, according to TCEQ — the coastal waters are no longer on the list for having low dissolved-oxygen levels. That means aquatic life, which needs dissolved oxygen to survive, can flourish in the Gulf.

Rubinstein, of TCEQ, suggested that residents and visitors to the Valley's water bodies keep the survey results in mind when swimming, fishing or wading. Some areas are polluted, but others are well within healthy limits, he said.

"Use this data when you're choosing where to recreate," Rubinstein said. "Any area where there is an impairment, take that into consideration."



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Water worries  
visit [www.valleystar.com](http://www.valleystar.com) and  
scroll to the bottom of the  
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*Diplomate, American Board of Psychiatry & Neurology*

1901 Bell Street, Suite B  
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(956) 428-1948

*RWD*  
*25991*

866 West Price Road  
Brownsville, Texas 78520  
(956) 541-2974  
(956) 428-1948

February 14, 2008

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CHIEF CLERKS OFFICE

2008 FEB 28 AM 10:01

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

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Attn: Ms. LaDonna Castanuela  
P.O. Box 13087  
Austin, Texas 78711-3087

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Sincerely,

A handwritten signature in black ink, appearing to read 'R. Collier', with a long horizontal flourish extending to the right.

ROBERT O. COLLIER, M.D.

ROC:tm

# Water worries

## State: Segments of Valley waters have pollution problems

By MELISSA McEVER  
melissam@valleystar.com  
956-430-6252

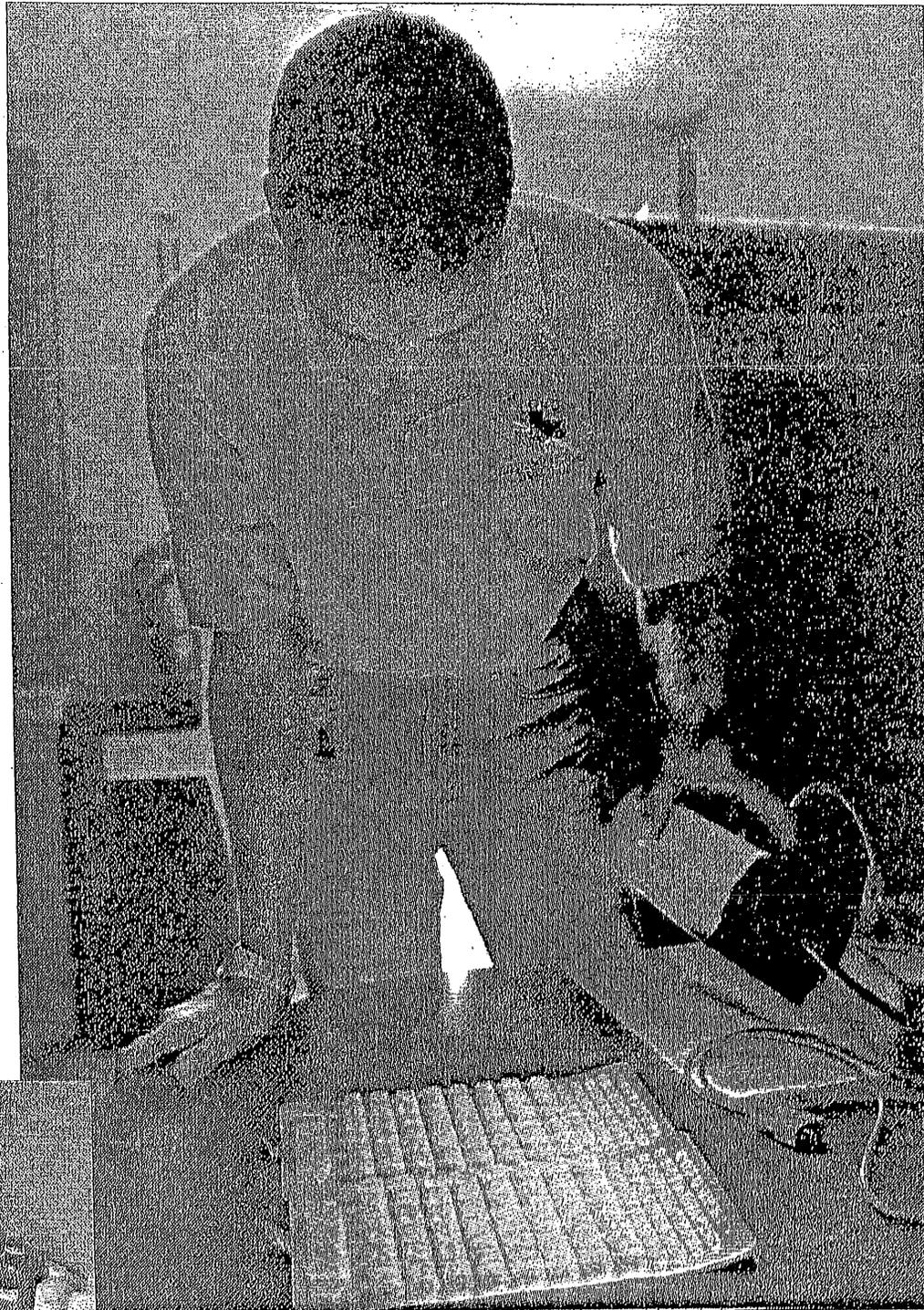
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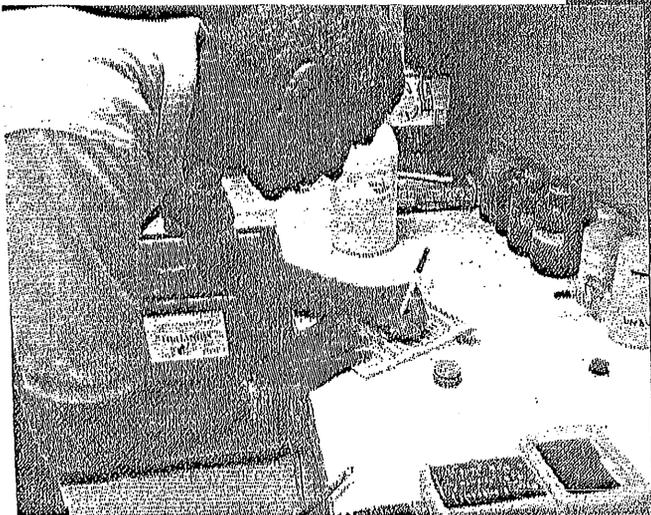
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See WATER WORRIES ★ A6



Joe Hermosa/Valley Morning Star

Above: Chris Caudle, aquatic scientist with the Texas Commission on Environmental Quality, uses a black light Friday to check water samples for bacteria at TCEQ's water lab in Harlingen. Caudle regularly takes samples of the Arroyo Colorado, the Rio Grande and Gulf of Mexico waters to check for contaminants as part of the Clean Rivers Program. Left: Chris Caudle writes down information from a data display monitor after calibrating a multi-probe instrument at TCEQ's water lab in Harlingen on Friday. The instrument is used to measure temperature, pH levels and dissolved oxygen.



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The arroyo's pollution problems are so severe that the Environmental Protection Agency has required the development of a "watershed protection plan" to address the causes. The plan is a more workable solution than

imposing strict regulations on Garza, watershed coordinator. Those projects include upgrading wastewater plants along the arroyo, encouraging farmers to reduce agricultural discharges, constructing wet-lands to treat runoff before it reaches the arroyo and increased water monitoring.

It could cost about \$65 million to implement the projects proposed for the next decade, de la Garza has said. The money would come from state and federal grants, the North American Develop- ment Bank and cost-sharing projects to reduce polluted

The completed Arroyo Colorado Watershed Protec- tion Plan, submitted to TCEQ in January, proposes several projects to reduce polluted

runoff and improve water quality, said Laura de la

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Tidal from Laguna Madre to 100 meters downstream of Cemetery Road, Harlingen	Legacy pollutants in fish tissue	Low dissolved oxygen	Bacteria	Low dissolved oxygen	Port Mansfield to Fort Isabel
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Below Falcon Reservoir, from Rancho Viejo floodway to El Jardin Pump Station	Legacy pollutants in smallmouth buffalo	Low dissolved oxygen	Legacy pollutants in fish tissue	Low dissolved oxygen	Port Mansfield to Fort Isabel
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**Taken off the list**

RIO GRANDE BELOW AMISTAD  
Meets standards for water toxicity

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**What TCEQ recommends**

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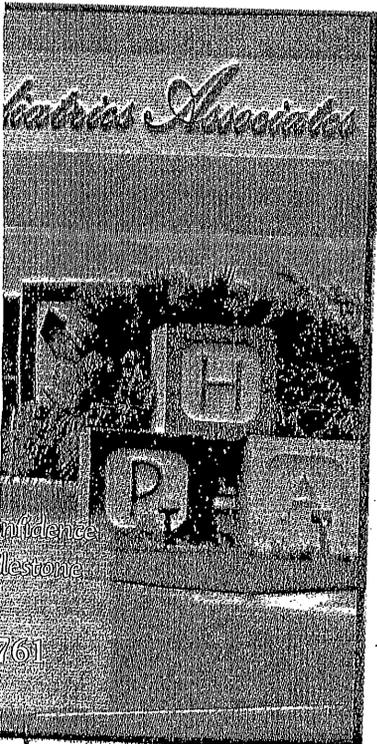
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QUALITY

VALLEY PSYCHIATRIC CLINIC

ROBERT O. COLLIER, M.D.

Diplomate, American Board of Psychiatry & Neurology

1901 Bell Street, Suite B  
Harlingen, Texas 78550  
(956) 428-1971  
(956) 428-1948

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CHIEF CLERKS OFFICE

866 West Price Road  
Brownsville, Texas 78520  
(956) 541-2974  
(956) 428-1948

*1WJD*  
*25991*

February 14, 2008

H OPA  
FEB 27 2008 OPA  
FEB 26 2008

Texas Commission on Environmental Quality  
Attn: Ms. LaDonna Castanuela  
P.O. Box 13087  
Austin, Texas 78711-3087

BY *RL*

Re: Taiwan Shrimp Village Association, Inc. and Arroyo Aquaculture Association, Inc.  
TPDES Permit No. WQ0003596000

Dear Sirs:

I am requesting a contested case hearing in regards to this matter. I am unfortunately an affected person by the fact that my second home, where I spend many nights trying to enjoy the scenery and the water, is unfortunately 50 yards east of the dumping ditch for the filth farms, also known as Taiwan Shrimp Village and Arroyo Aquaculture Association. A legal description of my property is Abstract 3-unsubdivided lots 7 and 8, SH-19TR-49. The decision of the Executive Director is a travesty. The point source pollution from the filth farms is gross. Most evenings, well after nightfall, one can sit on the fishing pier and note a crud line of discharge from the dumping ditch that slowly spreads like an ugly stain across the water, upstream or downstream, depending on the tide. The discharge is comparable to sewage, dirt, shrimp and fish feces, rotted food and rotted crustation, large chunks of algae, and fish particles. God only knows the chemical makeup of this brew.

I have enclosed a well written article from another one of our expensive and incompetent state agencies describing the months of "dead zone" we experienced last spring and I am quite certain that while there are certainly other sources of pollution into the Arroyo Colorado, that the shrimp farms are far and away the worst, and for that we can thank the Texas Commission on Environment Quality. I have enclosed a copy of the article to which I refer. I have yet to see a chemical analysis of the food that is grown in these shrimp farms, although certainly one may exist, and I would welcome a copy.

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*MWD*

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Sincerely,



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ROC:tm

# Water worries

## State: Segments of Valley waters have pollution problems

By MELISSA McEVER  
melissam@valleystar.com  
956-430-6252

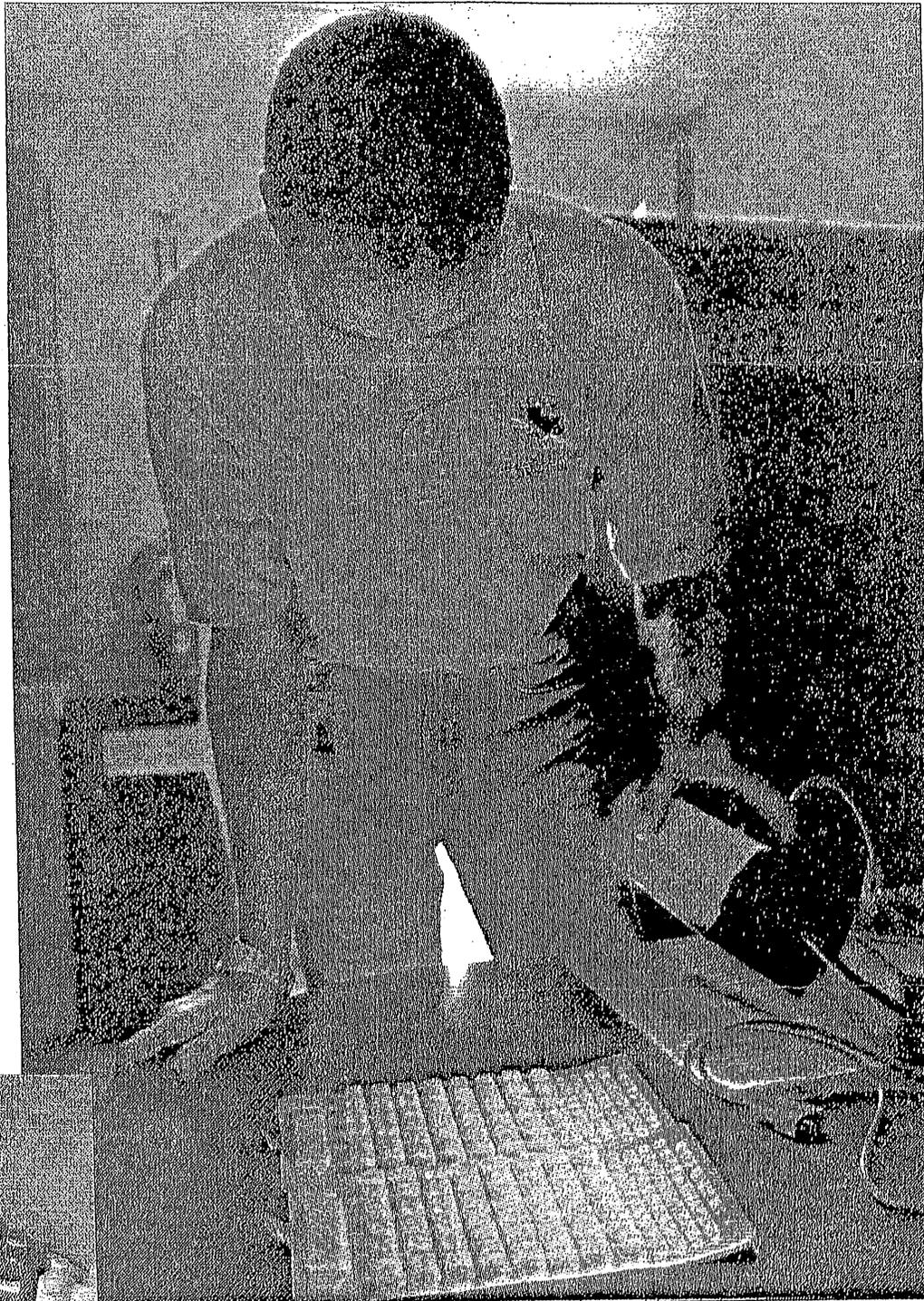
The Rio Grande Valley's mighty river, winding waterway and environmentally sensitive bay all have segments with pollution problems that could impact people and marine life, according to a state list of impaired water bodies.

Portions of the Rio Grande, the Arroyo Colorado and the Laguna Madre have low dissolved oxygen and high bacteria levels, and in some areas the problem is growing, says a report released in June by the Texas Commission on Environmental Quality. The agency issues its Texas Water Quality Inventory every two years, along with a list of water bodies that have segments out of compliance with federal water-quality standards.

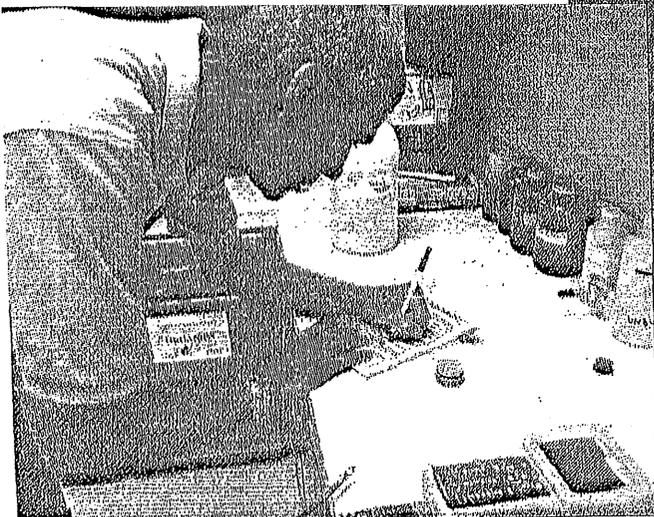
In the latest inventory, TCEQ used water-sampling data from 1999 to 2004 to determine which waterways were out of compliance, said Brenda Archer, water-quality monitoring team leader for TCEQ.

"It's a summary of the problems we found," Archer said. "We're trying to handle everything on the list, looking at how we can improve water quality or get more

See WATER WORRIES ★ A6



Joe Hermosa/Valley Morning Star



Above: Chris Caudle, aquatic scientist with the Texas Commission on Environmental Quality, use a black light Friday to check water samples for bacteria at TCEQ's water lab in Harlingen. Caudle regularly takes samples of the Arroyo Colorado, the Rio Grande and Gulf of Mexico waters to check for contaminants as part of the Clean Rivers Program. Left: Chris Caudle writes down information from a data display monitor after calibrating a multi-probe instrument at TCEQ's water lab in Harlingen on Friday. The instrument is used to measure temperature, pH levels and dissolved oxygen.

**WATER WORRIES**

FROM A1

Information about the problem."

**ARROYO COLORADO**  
According to TCEQ's 2006 water-quality inventory — its newest report — the troubled Arroyo Colorado, which originates in Mission and empties into the Laguna Madre, continues to have significant pollution problems. The freshwater segment of the waterway for years has had high levels of fecal coliform bacteria — indicating the presence of human or animal waste in the water — but the 2006 list says the problem might have extended downstream to the Laguna Madre.

Then again, it's possible that heavy rains in 2001 skewed the data, suggested Rocky Freund, deputy executive director for the Coastal Bend division of the Nueces River Authority. The agency is in charge of gathering water-sample data: the Lower Nueces-Rio

Grande Coastal Basin, which includes the Arroyo Colorado.

"Whenever there's a rain event, it causes a lot of runoff ... which can cause a spike in bacteria," Freund said.

The downstream portion of the arroyo also is plagued with low dissolved-oxygen levels, choking out fish and marine life.

The arroyo's pollution problems are so severe that the Environmental Protection Agency has required the development of a "watershed protection plan" to address the causes. The plan is a more workable solution than imposing strict regulations on the waterway that would be impossible to meet right now, TCEQ officials have said.

Several elements have combined to make the arroyo polluted and toxic to fish, including agricultural runoff, discharge from wastewater treatment systems and the proliferation of oxygen-choking plankton.

The completed Arroyo Colorado Watershed Protection Plan, submitted to TCEQ in January, proposes several projects to reduce polluted

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runoff and improve water quality, said Laura de la Garza, watershed coordinator. Those projects include upgrading wastewater plants along the arroyo, encouraging farmers to reduce agricultural discharges, constructing wetlands to treat runoff before it reaches the arroyo and increased water monitoring.

It could cost about \$65 million to implement the projects proposed for the next decade, de la Garza has said. The money would come from state and federal grants, the North American Development Bank and cost-sharing

agreements with cities along the arroyo.

NADBank already has funded a major wastewater-plant improvement project in San Benito, and other cities also have received some funding to update their wastewater plants, officials say.

**RIO GRANDE**

The Rio Grande made several appearances on TCEQ's "impaired list," but only a couple of segments are in the Rio Grande Valley area. Since 1996, the stretch between the Rancho Viejo floodway and the El Jardin Pump Station in Cameron County — about 7 miles of river — has been on the list for high bacteria levels, according to TCEQ.

A tributary of the Rio Grande — Arroyo Los Olmos in Starr County — also is on the list for bacteria.

Several segments of the Rio Grande in Zapata, Val Verde, Presidio and El Paso counties made the list for bacteria levels and dissolved solids.

A once-troubled section of the Rio Grande is faring better now, though, according to

**2006 Impaired Water Bodies**

Every two years, the Texas Commission on Environmental Quality lists rivers, streams and other water bodies that have areas out of compliance with the Clean Water Act. Several Valley water bodies were on the released in late June 2007.

The main problems in Valley water bodies are low dissolved-oxygen and high bacteria levels. Dissolved oxygen in water is necessary to marine life survive. Oxygen levels become low as a result of high temperature, saltiness, lack of movement in the water, and the presence of plant oxygen-absorbing organisms. Fecal coliform bacteria comes from human animal waste.

Some portions of the Arroyo Colorado and the Donna Reservoir also "legacy pollutants." Legacy pollutants are toxic chemicals, like banned pesticides that persist in the environment long after their use was prohibited.

Some parts of the Rio Grande and the Gulf of Mexico were taken "impaired" list this year because their water quality has improved.

**ARROYO COLORADO**

Tidal from Laguna Madre to 100 meters downstream of Cemetery Road, Harlingen:

Bacteria

Low dissolved oxygen

From Cemetery Road, Cameron County to FM 2062, Hidalgo County:

Bacteria

Legacy pollutants in smallmouth buffalo

**RIO GRANDE**

Below Falcon Reservoir, from Rancho Viejo floodway to El Jardin Pump Station

Bacteria

**Donna Reservoir**  
Irrigation reservoir pumped from Grande, near city of Donna  
Legacy pollutants in fish tissue

**ARROYO LOS OLMO**  
In Starr County  
Bacteria

**LAGUNA MADRE**  
Low dissolved oxygen  
Bacteria (in oyster)

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Port Mansfield to Port Isabel  
Mercury in fish tissue (king mackerel)

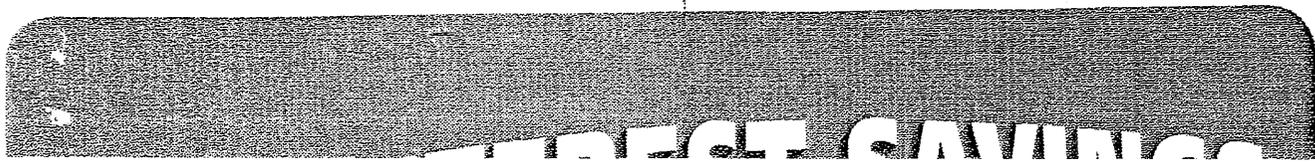
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**RIO GRANDE BELOW AMISTAD**  
Meets standards for water toxicity

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Meets dissolved oxygen standard

**What TCEQ recommends**

- RECREATION** — Keep this list in mind when choosing where to swim, boat. You might want to steer clear of high-bacteria areas when swimming.
- FISHING** — The Texas Department of State Health Services recommends consumption of smallmouth buffalo from the Arroyo Colorado upstream of Port of Harlingen and king mackerel from the Gulf of Mexico. Fishing is in the Donna Reservoir. Oyster harvesting is currently closed in the Laguna Madre.





449,999:  
to open a  
per month  
bills.

TCEQ data. In 2002, a segment of the river from the Puarr International Bridge to Santa Ana National Wildlife Refuge was on the list for high bacteria levels, and the agency reported concerns over drinking water drawn from the area. That segment is off the 2006 list completely.

Although pollution problems persist in the Rio Grande, the situation is improving, said Carlos Rubinstein, Rio Grande watermaster and area director for TCEQ Region 15, which includes the Valley.

"We've had infrastructure improvements on both sides of the river and those will clearly assist in water quality," Rubinstein said.

However, he added, those improvements might not be enough to get the Rio Grande off the impaired list completely. Many elements influence the Rio Grande's water quality, and the United States only has partial control over those elements, he said.

Several cities in Mexico routinely discharge wastewater into the Rio Grande, and agricultural runoff also makes its way into the river, he said. Failing septic tanks, wildlife pressures and a variety of other pollutants — even people overfertilizing their lawns — all contribute to the problem, Rubinstein said.

NADBank has recently funded wastewater-improvement projects in Ciudad Acuña, Nuevo Laredo, Matamoros and Reynosa, which could help improve the Rio Grande's water quality, TCEQ officials said.

"We have the right kinds of investments in place," said Steve Niemeyer, TCEQ policy analyst for border affairs.

Valley residents can make a difference in the Rio Grande's water quality,

Rubinstein said. "Ask yourself, what am I doing to degrade the water quality?" he said. He suggested fixing ailing septic tanks, cleaning up after pets and carefully considering what chemicals you use on your lawn.

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#### LAGUNA MADRE AND GULF OF MEXICO

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Most of the state's bays were put on the impaired list in 2006 because the Texas Department of State Health Services has concluded that oysters in the bays might contain bacteria or biotoxins like red tide. Harvesting oysters in all bays but Galveston Bay is currently prohibited, according to DSHS.

TCEQ plans to investigate bacteria contamination in the Laguna Madre's oyster beds at some point in the future, Archer said.

The bay also has low oxygen levels at its confluence with the Arroyo Colorado. The state is currently trying to determine whether a shallow estuary system like the Laguna Madre should be subject to the same water-quality standards as other water bodies, or if those standards should be adjusted.

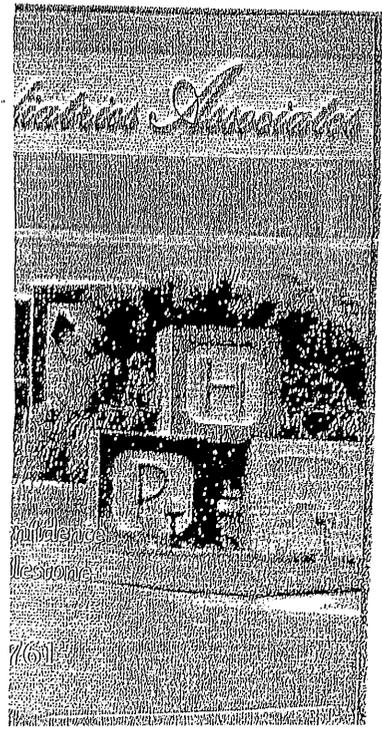
In earlier surveys, TCEQ determined the bay is still safe for recreational and general use.

The Gulf of Mexico also appears on TCEQ's list because of mercury levels in one type of fish — the king mackerel. DSHS issued an advisory in 1997 that people should limit intake of king mackerel from the Gulf.

One water-quality parameter has improved in the Gulf, according to TCEQ — the coastal waters are no longer on the list for having low dissolved-oxygen levels. That means aquatic life, which needs dissolved oxygen to survive, can flourish in the Gulf.

Rubinstein, of TCEQ, suggested that residents and visitors to the Valley's water bodies keep the survey results in mind when swimming, fishing or wading. Some areas are polluted, but others are well within healthy limits, he said.

"Use this data when you're choosing where to recreate," Rubinstein said. "Any area where there is an impairment, take that into consideration."



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P.O. Box 13087  
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*H* OPA  
FEB 27 2008  
BY *pc*

CHIEF CLERKS OFFICE

2008 FEB 26 AM 10:46

TEXAS  
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Sincerely,

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ROC:tm

# Water worries

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By MELISSA McEVER  
melissam@valleystar.com  
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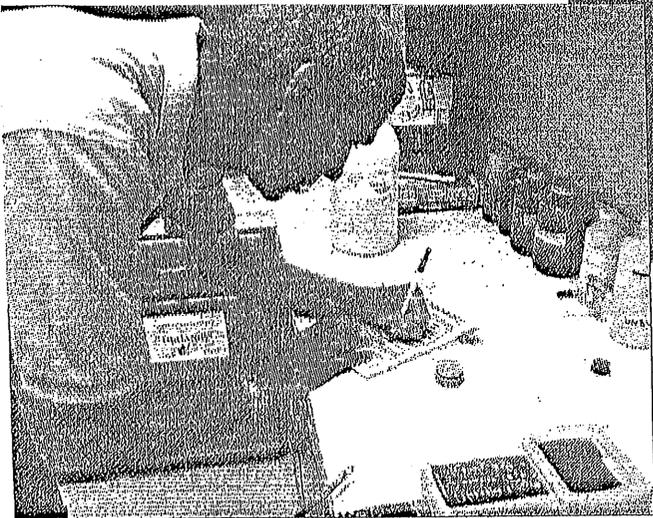
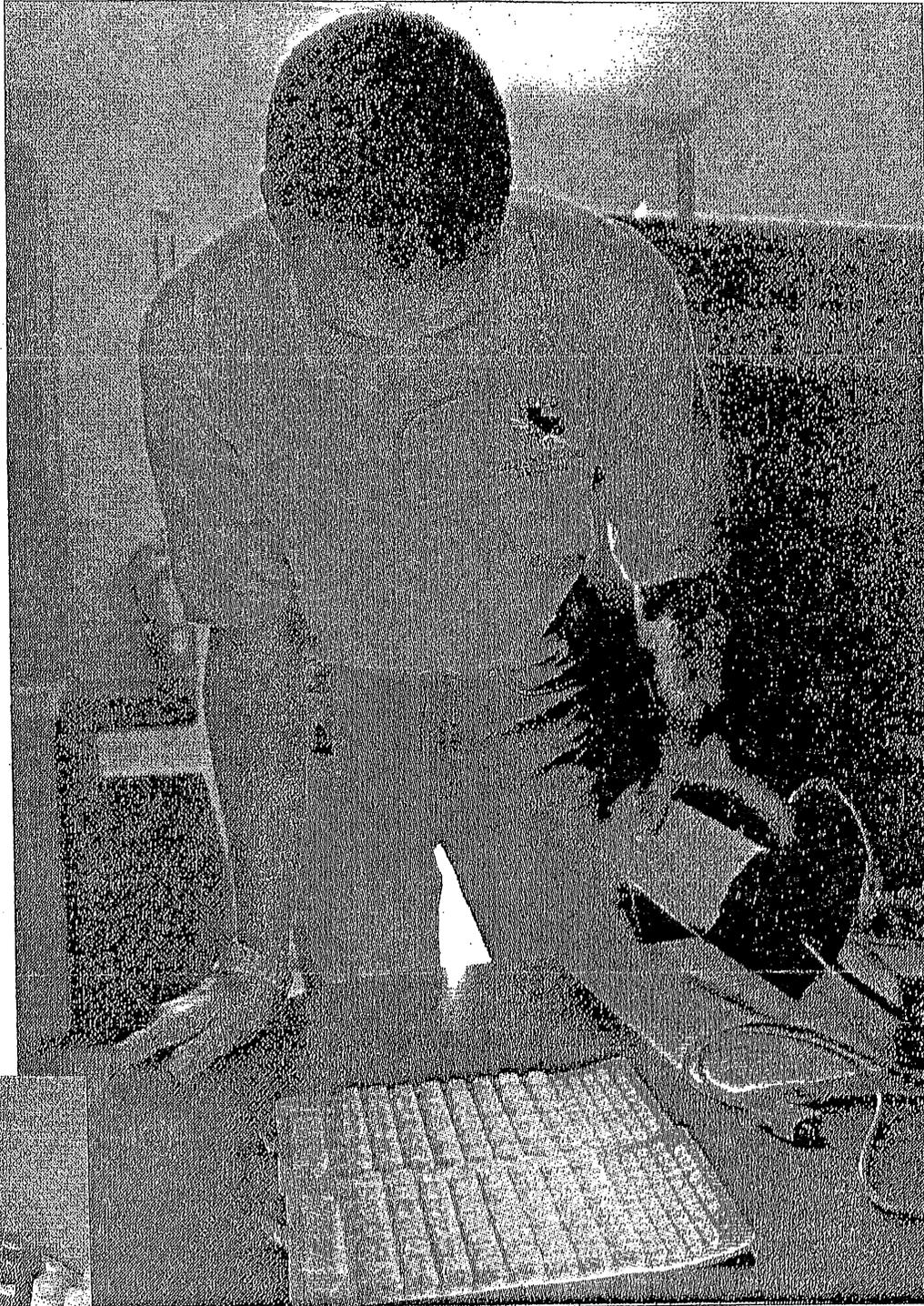
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**WATER WORRIES**

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Port Mansfield to Port Isabel  
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**What TCEQ recommends**

**RECREATION** — Keep this list in mind when choosing where to swim, boat or fish. You might want to steer clear of high-bacteria areas when swimming.  
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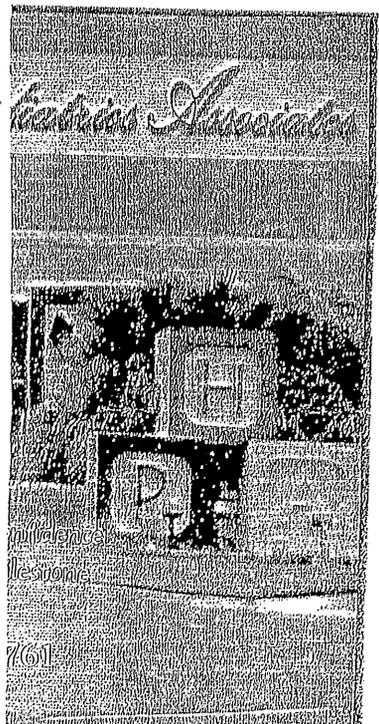
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scroll to the bottom of the  
story.

September 22, 2006

Office of the Chief Clerk, MC 105, TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

OPA

SEP 27 2006

ON COMPLAINTS  
ENVIRONMENTAL  
QUALITY  
CHIEF CLERKS OFFICE

WJD  
2/3/99

To Whom It May Concern,

BY

I am adamantly against the amendment to TIDES Permit No. WQ ~~0005596000~~ that would remove the prohibition of discharge from the facilities at any time. Also, I am against any revision to the Arroyo Colorado Water Quality study requirement to reduce influent and effluent sampling frequencies. I request a contested case hearing.

My memory is not so short as to forget seeing that thick, slimy, putrid discharge going through the channel just east of the original facility some years ago. The tide was going out and the discharge turned right into the Arroyo and held together topping approximately one-fourth of the waterway surface as far as my eyes could see. I could only imagine any living thing trying to survive in such an environment.

It also appalled me to think of my children, grandchildren, or anyone skiing, wave running, swimming, fishing, or just existing anywhere near. And this was before the second outlet was built near Chili Willie's. With two discharge outlets and incoming and outgoing tides the entire area of Arroyo City and possibly Circle X would be affected.

To say that no significant degradation of high quality receiving water is anticipated is ridiculous. That thick mudous would smother any living creature or plant and the very sight of this cohesive mass in the waterway is disgusting. Just imagine this streaming in front of the homes and piers of our community.

I find it almost impossible to believe that on the same day, September 1, that I received the notification of this application, the Valley Morning Star newspaper's #1 story was headlined "Cleansing the Arroyo, and told how the Arroyo would benefit from "signed, sealed, and delivered" improvements including new waste-water-treatment plant 3 and constructed wetlands that would cleanup runoff before it reached the Arroyo.

Whatever it takes - a contested case hearing, a public meeting, or the denial of this permit. Do it! I do not remember exact dates or whether it was newspaper or television but these are pictures in the archives of what the previous discharge looked like. This must not be permitted to reoccur.

Sincerely,  
L. Gene C. Yates  
36301 #3 Marshall Hutt's Road  
Arroyo City, TX  
mailing address:  
1118 E. Filmore  
Harlingen, TX 78550  
phone: 956-423-4931

properly listed Thomas L. Yates (deceased)  
Permit # CE 94008  
Phone: 956-748-4230  
Property directly north of Taiwan Facility  
across Marshall Hutt's Road and the inlet  
channel with water front on Arroyo  
approximately .3 miles east of intersection  
7225 and 1297

Gene Yates  
1118 E Filmore Ave.  
Harlingen, TX 78550

CORPUS CHRISTI  
TX 784 1 L

23 SEP 2006



RECEIVED

SEP 25 2006

TCEQ MAIL CENTER  
RB

Office of the Chief Clerk, MC105, TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

78711+3087

POSTNET barcode

**VALLEY PSYCHIATRIC CLINIC**

**ROBERT O. COLLIER, M.D.**

*Diplomate, American Board of Psychiatry & Neurology*

1901 Bell Street, Suite B  
Harlingen, Texas 78550  
(956) 428-1971  
Fax: (956) 428-1948

866 West Price Road  
Brownsville, Texas 78520  
(956) 541-2974

*IWD*  
*25991*

*OPA*

*APR 25 2008*

BY \_\_\_\_\_

*RC*

CHIEF CLERKS OFFICE

2008 APR 24 AM 10:09

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

April 22, 2008

Texas Commission on Environmental Quality  
Attn: Ms. LaDonna Castanuela  
P.O. Box 13087  
Austin, Texas 78711-3087

Re: Taiwan Shrimp Village Association, Inc. and Arroyo Aquaculture Association, Inc.  
TPDES Permit No. WQ0003596000

Dear Sirs:

As March and April pass, I'm reminded that the spring shrimp run occurs as the native shrimp migrate up the river to reproduce. Loading shrimp farm filth into the Arroyo Colorado at these times is especially destructive. Think of a cattle feed-lot where the manure is simply washed into the local river. Try to muster up some common sense and respect for the environment.

Sincerely,



Robert O. Collier, M.D.

*MW*

25991  
IWD

PM

**VALLEY PSYCHIATRIC CLINIC**

**ROBERT O. COLLIER, M.D.**

*Diplomate, American Board of Psychiatry & Neurology*

1901 Bell Street, Suite B  
Harlingen, Texas 78550  
(956) 428-1971  
(956) 428-1948

January 14, 2003

866 West Price Road  
Brownsville, Texas 78520  
(956) 541-2974  
(956) 428-1948

Texas Commission on Environmental Quality  
Office of the Chief Clerk, MC 105, TCEQ  
P. O. Box 13087  
Austin, Texas 78711-3087

OPA  
JAN 22 2003  
BY *Rg*

CHIEF CLERKS OFFICE  
JAN 21 PM 3:13  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Re: Permit No. 03596

Dear Sirs:

Please register my strong objection to the request by the Taiwan Shrimp Village Association, Inc, and the Arroyo Aquaculture Association to discharge "year-around." You make no mention of the volume of discharge, although I assume it is the same volume allowed after previous hearings. I also assume that the Texas Commission on Environmental Quality have made absolutely no effort to monitor the discharge from the shrimp farms to ensure that they meet the water quality standards. My experience has taught me that there is an utter lack of due diligence as far as the basic performance of your duties. If there has been monitoring of water quality of the discharge by a reputable outside firm, please send me the results of this analysis. This type of analysis could be done quite easily in a random unannounced fashion and paid for by the polluting entity, ie, the shrimp farms. My best information is that the Texas Commission on Environmental Quality takes the position of the notorious three monkeys. It is sad that we the taxpayers have to pay for such a non-performance.

The statutory area of the Arroyo Colorado is supposedly protected from such biological insult and as to my own interest, my weekend home is located approximately 50 yards from the discharge ditch, hence, I get first call on the pollutants. I would request if there is a public meeting on this application that I would strongly recommend that any and all change in this existing permit be predicated on an objective monitoring of the water quality that is being discharged from the shrimp farms presently.

Sincerely,



ROBERT O. COLLIER, M.D.

ROC:tm



James R. Green  
37237 Marshall Hutt Road  
Rio Hondo, TX 78538

HR  
25991  
IWD

OPA

DEC 16 2002

BY           Kg          

December 12, 2002

Office of the Chief Clerk  
MC 105, TCEQ  
PO Box 13087  
Austin, TX 78711-3087

CHIEF CLERKS OFFICE

2002 DEC 16 AM 9:45

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Chief Clerk,

I have been a homeowner and resident of Arroyo City, Cameron County, Texas since 1990 and I have witnessed the degradation done to the Arroyo Colorado Tidal as a result of previous discharges into the drainage ditch thence to the Arroyo Colorado Tidal. I do not understand how anyone with any environmental concerns could consider permit number 03596.

Our natural ecosystem would be threatened by these releases by altering the delicate balance that is required to sustain the wildlife that inhabits this area. As concentrations of any material discharged increase, significant changes to feeding and breeding grounds are effected that could result in the lose of numerous species native to this area. The result could permanently damage the whole natural tidal flow of the Laguna Atascosa Wildlife Refuge. I firmly believe that the TCEQ, TNRCC, EPA, Department of Fish and Game and any other environmentally conscience groups be notified and that no discharge be allowed and the permit to discharge be denied.

I intend to notify other residents as well as our local legislator and ask each of them to request a public hearing concerning this matter so that we may be allowed to voice our opinion and not allow any company to destroy what nature has so carefully designed.

Sincerely,



James R. Green



OPA

OCT 05 2006

Office of the Chief Clerk  
MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

BY

*gv*

CHIEF CLERK'S OFFICE

OCT 05 11 09 53

TEXAS  
ONLINE  
COMMUNICATIONS

*10/10/06  
10/10/06  
10/10/06*

September 30, 2006

To Whom It May Concern:

An Application and Preliminary Decision for Water Quality TPDES Permit Renewal for Industrial Wastewater, Permit No. WQ0004244000 has been submitted by Southern Star Inc., 35518 Marshall Hutts Rd., Rio Hondo, TX 78583-3443 to your office. An Application and Preliminary Decision for Quality TPDES Permit Amendment for Industrial Wastewater, Permit No. WQ0003596000 by Taiwan Shrimp Village Assoc Inc and Arroyo Aquaculture Assoc., Inc, 36386 Marshall Hutts Rd., Rio Hondo, TX has also been submitted to your office.

Per the instruction in the public announcements in the Valley Morning Star Newspaper dated Monday September 11, 2006 and Tuesday September 12, 2006, I am requesting a ~~public meeting~~ *CASE HEARING* to be held to discuss some issues and concerns that I have regarding the requests filed by the shrimp farms. I have several questions that I would like addressed to resolve my concerns. *CONTESTED*

Respectfully submitted,

*NORMAN GREEN*  
Name

*37391 MARSHALL HUTTS Rd.*  
Address

*Rio Hondo TX 78583*  
City State Zip

The following are ways I will be affected:

*I LIVE APPROX. 9<sup>th</sup> MILE DOWN STREAM FROM THE SHRIMP FARM DISCHARGE DITCH. THE FIRST WEEK IN SEPT. I STARTED TO NOTICE LARGE AMOUNTS OF BROWN FOAM COLLECTING AROUND THE PILING AND BOAT STAIL. THE COLOR OF THE WATER AND SMELL WAS TERRIBLE. I WENT TO THE DISCHARGE DITCH BY BOAT AND THERE A DISTANT DISTING LINE BETWEEN THE DISCHARGE WATER AND THE ARROYO WATER. THERE WAS 4-5 DEAD MULLET AND 8-10 FISH THAT SOMEONE SAID WERE BUFFALO. AND YOU COULD NOT CATCH ANY TYPE OF FISH IN A CAST NET FOR ABOUT A WEEK. IT AFFECTED EVERYONE DOWNSTREAM OF DISCHARGE.*

Hugh R. & Linda Koch  
36153 Marshall Huts Rd.  
Rio Hondo, TX 78583  
956-748-2766

H  
PM  
OPA  
SEP 29 2006  
BY                     

September 23, 2006

Office of the Chief Clerk,  
MC 105, TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

19652  
GMY

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2006 SEP 28 PM 2:15  
CHIEF CLERKS OFFICE

VIA - Certified Mail – Return Receipt Requested and Regular Mail

RE: PERMIT NO. WQ0003596000  
Taiwan Shrimp Village Association, Inc., Arroyo Aquaculture Association, Inc.

TO WHOM IT MAY CONCERN:

**“WE REQUEST A PUBLIC MEETING ON THE ABOVE PERMIT NO.!”**  
**“WE REQUEST A CONTESTED CASE HEARING!”**

We have been property owners here on the Arroyo Colo. since 1984 and full time residents since 1989. Our previous residence, from 1984 to 1993 was adjacent to the discharge, (un-named ditch). Our current residence, from 1993 until the present is across the street and other property owned is adjacent to the subject shrimp ponds. Not only do we live here full-time, but our Businesses are located here-(STR Properties & Arroyo City RV/Apts.), less than 500 feet from the above shrimp ponds. The following is how we are adversely affected by the above:

- Owners of Rental Apartments, Covered Boat Lifts and RV Hook-ups in this Resort – Recreational Area.
- Sickening Smell and flies from the facility during harvest season.
- Health Reasons - Arroyo Colo. designated segment No. 2201 – family, tenants and guests unable to participate in contact recreational sports for fear of disease, foam and distasteful effluent in the river.
- In the event of a hurricane striking this area – the strong possibility of what would happen to us, our Home, our Possessions, our Real Estate business and our Income Producing Rentals because of the next item.
- This facility has a history of numerous documented past violations of NOT PRACTICING “BEST MANAGEMENT PRACTICES AND NOT STAYING WITHIN THE PRAMETERS OF THEIR PERMIT!”

Sincerely,

Hugh R. & Linda Koch

MB

PM LPA  
SEP 28 2006  
BY KY

Hugh R. & Linda Koch  
36153 Marshall Huts Rd  
Rio Hondo, TX 78583  
956-748-2766

CHIEF CLERKS OFFICE

2006 SEP 28 AM 9:30

TEXAS  
COMMISSION ON  
ENVIRONMENTAL  
QUALITY

September 23, 2006

EWD  
11/25/06

Office of the Chief Clerk,  
MC 105, TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

VIA - Certified Mail – Return Receipt Requested and Regular Mail

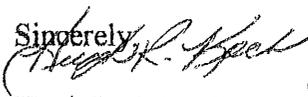
RE: PERMIT NO. WQ0003596000  
Taiwan Shrimp Village Association, Inc., Arroyo Aquaculture Association, Inc.

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**“WE REQUEST A PUBLIC MEETING ON THE ABOVE PERMIT NO.!”**  
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- **Sickening Smell and flies from the facility during harvest season.**
- **Health Reasons - Arroyo Colo. designated segment No. 2201 – family, tenants and guests unable to participate in contact recreational sports for fear of disease, foam and distasteful effluent in the river.**
- **In the event of a hurricane striking this area – the strong possibility of what would happen to us, our Home, our Possessions, our Real Estate business and our Income Producing Rentals because of the next item.**
- **This facility has a history of numerous documented past violations of NOT PRACTICING “BEST MANAGEMENT PRACTICES AND NOT STAYING WITHIN THE PRAMETERS OF THEIR PERMIT!”**

Sincerely,  
  
  
Hugh R. & Linda Koch





TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2006 SEP 25 AM 10:39

Chief Clerk's Office  
Room #1101 Bldg 7  
12100 Park 35 Circle  
Austin TX 78753

16652  
D/S  
D/S

9-20-06

Herbert H. Wagoner  
37515 Rio Loop Rd  
Rio Hondo TX  
78583

Phone 956-748-262

H

OPA

SEP 27 2006

BY

lt

To Whom It May Concern:

Re: TPDES Permit # WQ003596000

Please have a public hearing regarding  
this permit.

We strongly object to allowing the Arroyo  
Aquaculture Assoc. Inc dump more water  
than they are currently permitted to dump  
in the Arroyo. ~~Colorado~~

Our property is 3 miles east of junction  
1847 and 2925 at 37515 Rio Loop Rd.

We bought property in 1954 - Retired  
here in 1981, after retiring from Shell  
Oil Company, Deer Park, Texas.

Please send any information on the  
proceeding in this matter

Thanks  
Herbert & Aldena  
Wagoner