

APPENDIX

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APPENDIX

FEDERAL LEGISLATION

Clean Air Act, U.S. Code, vol. 42, secs. 7402, 7521 (1970).

Comprehensive Environmental Response, Compensation and Liability Act, U.S. Code, vol. 42, secs. 9601-9675 (1980).

Endangered Species Act, U.S. Code, vol. 16, sec. 1531 et seq. (1974).

Emergency Wetlands Resources Act, U.S. Code, vol. 16, sec. 3901 (1986).

Federal Emergency Management Act, 44 CFR Parts 9, 9.1-9.18, 44 CFR 10.

Federal Insecticide, Fungicide, and Rodenticide Act, U.S. Code, vol. 7, sec. 136 et seq. (1947)

Federal Water Pollution Control Act, U.S. Code, vol. 33, secs. 106, 205, 319, 402, 405, 1251-1376 (1972).

Fish and Wildlife Coordination Act, U.S. Code, vol. 16, secs. 661-667 (1974).

Hazardous and Solid Waste Amendments of 1984, Pub. L. 98-616.

Marine Plastic Pollution Research and Control Act, Pub.L. 100-200 (1987).

Migratory Bird Hunting and Conservation Stamp Act, Pub.L. 99-645, (1986).

National Environmental Policy Act, U.S. Code, vol. 42, secs. 4321-4361 (1969).

National Flood Insurance Act, U.S. Code, vol. 42, secs. 4001-4128 (1968).

Resource Conservation and Recovery Act, U.S. Code, vol. 42, secs. 6901-6987 (1976).

Rivers and Harbors Appropriation Act, Pub.L. 87-830 (1899).

Safe Drinking Water Act, U.S. Code, vol. 42, secs. 300 et seq. (1976).

Toxic Substances Control Act, U.S. Code, vol. 15, secs. 2601 et seq. (1976).

Water Quality Act, Pub.L. 100-4, sec. 319 (1987).

FEDERAL RULES AND REGULATIONS

National Categorical Standards (40 CFR Part 403)

EXECUTIVE ORDERS

U.S. Presidential (Carter) Executive Order 11990, Protection of Wetlands, May 24, 1977.

U.S. Presidential (Carter) Executive Order 11988, Floodplain Management, May 24, 1977.

STATE LEGISLATION AND REGULATIONS

Texas. Clean Air Act. Health and Safety Code, secs. 382.001 et seq.

Texas. Coastal Coordination Act. Natural Resources Code, secs. 33.201-33.204.

Texas. Coastal Public Lands Management Act. Natural Resources Code, secs. 33.001-33.176, (1973).

Texas. Farm Bill. Agriculture Code, sec. 201.001.

Texas. Hazardous Substances Spill Contingency Plan (1988).

Texas. Health and Safety Code secs. 382.001-382.115, 382.016, 382.037, 382.051, 382.054, 382.081-382.091

Texas. Natural Resources Code, chs. 81, 91, and 191.

Texas. Oil and Hazardous Substances Spill Prevention and Control Act. Water Code, sec. 26.262)

Texas. Senate Bill 1519. Task Force on Waste Management Policy (1989).

Texas. State Flood Control and Insurance Act. Water Code, (1969).

Texas. Water Code secs. 16.311-16.319, 16.058, 26.001 (5), 26.007, 28.011, 16.058

LOCAL ORDINANCES

City of Houston Building Code, sec 19-1 (b)(4), 19-16, ch. 42

City of Houston Municipal Code, ch. 31, Oil and Gas Wells

City of Houston Municipal Code, Health and Human Services Department section 21-146

Pasadena Code of Ordinances ch. 13 1/2 Flood Control & Drainage, Article II

Pasadena Municipal Code, ch. 9, sec. 117.7, 9-176, 9-193,

APPENDIX B
Agency Survey Form

ARMAND BAYOU REGULATORY SURVEY

Please complete and return this survey to H-GAC in the attached envelope by **March 30, 1990**. If additional space is required on any question, please use the back of this form.

AGENCY/ORGANIZATION _____ PHONE (____) _____
PREPARED BY _____ DATE _____
TITLE _____
ADDRESS _____

I. REGULATORY AUTHORITY

For which of the following does your agency have regulatory authority?

- | | |
|--|---|
| <input type="checkbox"/> Municipal/Industrial Discharge | <input type="checkbox"/> Fresh water inflows |
| <input type="checkbox"/> Dredging | <input type="checkbox"/> Instream water Quality |
| <input type="checkbox"/> Oil & gas related activity | <input type="checkbox"/> Marine debris |
| <input type="checkbox"/> Nonpoint source, please specify: | <input type="checkbox"/> Wetlands |
| <input type="checkbox"/> Stormwater run-off | <input type="checkbox"/> Bay bottom |
| <input type="checkbox"/> Erosion | <input type="checkbox"/> Sea grasses |
| <input type="checkbox"/> Agricultural and construction related erosion | <input type="checkbox"/> Oyster reefs |
| <input type="checkbox"/> Septic tanks | <input type="checkbox"/> Fisheries |
| Other _____ | <input type="checkbox"/> Oysters |
| <input type="checkbox"/> Hazardous wastes | <input type="checkbox"/> Shrimp |
| <input type="checkbox"/> Solid waste | <input type="checkbox"/> Water fowl |
| <input type="checkbox"/> Land subsidence | <input type="checkbox"/> Crabs |
| <input type="checkbox"/> Sedimentation | <input type="checkbox"/> Endangered Species |
| <input type="checkbox"/> Shoreline erosion | <input type="checkbox"/> Ship channel |
| <input type="checkbox"/> Coastal land use | <input type="checkbox"/> Pipeline crossings |
| <input type="checkbox"/> Contact recreation | <input type="checkbox"/> Air quality |
| <input type="checkbox"/> Floodplain | <input type="checkbox"/> Other |

II. ORGANIZATIONAL ROLE(S)

Please identify your agency/organization's area(s) of responsibility regarding environmental management of Armand Bayou.

[Please check specific area]

**FUNCTIONAL/ TOPIC
AREA**

	<u>WATER QUALITY</u>	<u>PUBLIC HEALTH</u>	<u>RESOURCE MANAGEMENT</u>	<u>OTHER</u>
Regulatory (permitting authority)	_____	_____	_____	_____
Enforcement	_____	_____	_____	_____
Standard-setting or policy-making	_____	_____	_____	_____
Monitoring	_____	_____	_____	_____
Emergency response	_____	_____	_____	_____
Other	_____	_____	_____	_____

For each of the functional areas you checked, please describe in more detail by answering the following questions. Attach another sheet if more than three activities are indicated.

A. Briefly describe these activities. What is the purpose and goal of the activity? What programs is your organization responsible for?

B. What law/regulation governs or mandates this activity? For example, NEPA, city ordinance, state bill.

C. Please list any other agencies/organizations that administer related programs?

D. Are your activities coordinated with these other agencies? Please describe how this coordination occurs.

E. Do activities overlap, or complement one another? Are there gaps? Are there opportunities for enhancing the management framework?

III. REGULATORY STANDARDS

A. What standards are regulated by your agency? (For example, for local governments: land use/development regulations, water conservation, recycling)

B. Are you aware of additional pollutants or pollutant sources which are not regulated? Please specify and explain.

C. Are the roles of agencies responsible for regulating pollutants into Armand Bayou clear and distinct? Are there gaps, overlaps? What steps should be implemented to improve the framework within which regulatory activities occur?

D. What specific measures/ordinances have been enacted by your agency/entity that are intended to prevent/reduce pollution inputs to Armand Bayou? Please describe these measures.

E. What is your process for developing/revising public health/water quality standards? How frequently are standards updated? (Is there a relationship between medical/biological research, environmental problem, monitoring activities and regulatory standard development?)

IV. ENFORCEMENT ACTIVITIES

A. What tools does your agency have to effectively conduct enforcement activities? What additional tools could enhance your agency's capabilities? (For example, for local governments: code enforcement, zoning, etc.)

B. Are the roles of the agencies responsible for enforcing pollutants into Armand Bayou clear and distinct? Are there gaps, overlaps? What opportunities exist to improve the framework within which enforcement activities occur?

V. MONITORING ACTIVITIES

A. Does your agency/entity monitor the following? Please check if yes.

- Municipal wastewater discharge
- Industrial wastewater discharge
- Oil and gas development/production activities
- Marine environmental resources; please list type:

Physical properties of the Bayou or Bay (such as circulation bathymetry) Please list type:

Non-point source pollutants; please list type:

- Hazardous wastes
- Solid wastes
- Health effects
- Dredge disposal
- Endangered species
- Other, specify _____

B. Which of the following best describes the type of monitoring performed by your organization in Armand Bayou:

- Long-term measurement of a particular pollutant or pollution source
- Compliance monitoring with respect to discharge criteria
- Evaluation of environmental trends

Please describe these activities in more detail.

C. To whom are your monitoring results reported? How often?

D. Do you make this information available to the public? How?

E. Are there gaps or overlaps in monitoring activities? Are there opportunities for enhancing existing programs? If so, what are they?

VI. EMERGENCY INCIDENT RESPONSE

(Toxic spills, oil spills, accidents causing waste discharge violations)

A. In what type of incident/situation does your agency respond?

B. What is your agency's role in emergency incident response? Please describe.

C. What surveillance and enforcement steps occur after spills and discharge violations?

D. What are the interagency arrangements for dealing with emergency incidents?

Please provide any additional comments or recommendations that you may have.

**Please return the completed questionnaire to H-GAC in the attached envelope
by March 30, 1990 .**

**If you have any questions/comments please call
Lansingh Freeman, Environmental Planner, H-GAC at (713) 993-4563.**

Thank You For Your Efforts!

APPENDIX C

Survey Respondents

Federal Agencies

Federal Emergency Management Agency, Denton, Texas. Jim LeGrote, Insurance and Mitigation Division, Region VI, (Armand Bayou and Christmas Bay).

National Marine Fisheries Service, Habitat Conservation District, Galveston, Texas. Don Moore, Area Supervisor.

U.S. Army Corps of Engineers, Galveston District, Galveston, Texas. Marcus De LaRosa, Chief, Regulatory Branch.

U.S. Department of Agriculture, Soil Conservation Service, Angleton, Texas. John Campbell, District Conservationist (Christmas Bay).

U.S. Department of Agriculture, Soil Conservation Service, Houston, Texas. David Myers, District Conservationist (Armand Bayou).

U.S. Environmental Protection Agency, Water Quality Branch, Dallas, Texas. Ken Teague.

U.S. Fish & Wildlife Service, Division of Ecological Service, Houston, Texas. David Hankla.

U.S. Geological Survey, Houston, Texas. Fred Liscum.

State Agencies

Railroad Commission of Texas, Austin, Texas. Oil & Gas Division, Windle Taylor.

Texas Air Control Board, Austin, Texas. Bill Ehret .

Texas Department of Agriculture, Austin, Texas. Lea Aurelius.

Texas Department of Health, Austin, Texas. Water Hygiene Division, James E. Pope.

Texas Department of Health, Austin, Texas. T.A. Outlaw, Chief, Bureau of Solid Waste Management.

Texas Department of Health, Shellfish Sanitation Control Division, Austin, Texas. Richard Thompson, Director.

Texas Department of Highways & Public Transportation, Houston, Texas. Hans Chris Olavson, District Planning Administrator.

Texas Department of Public Safety, Division of Emergency Management, Austin, Texas. David Haun, Energy Management Resources Officer.

Texas General Land Office, Austin, Texas. C. Bruce Smith, Administrator, Technical Programs.

Texas Parks & Wildlife Department, Austin, Texas. Environmental Assessment Branch, Resource Protection Division, Rollin MacRae.

Texas State Soil & Water Conservation Board, Temple, Texas. James Moore, P.E., Engineer.

Texas Water Commission, Water Quality Division, Austin, Texas. Dan Beckett, Chief, Water Quality Standards & Evaluation Section.

Texas Water Development Board, Austin, Texas. Susan Schwartz, General Counsel.

Local Agencies

Armand Bayou Nature Center, Inc., Houston, Texas. Jim Larrabee, Executive Director.

Bayfield Public Utility District, Webster, Texas. Thomas A. Haydon, President.

B.W. Payne, President, Harris County MUD #67

City of Deer Park, Deer Park, Texas. Ray Jones, Director of Public Works.

City of Houston, Environmental Pollution Control, Houston, Texas. Terry Fisher.

City of Houston Public Works Department, Houston, Texas. Charles F. Settle, P.E., Manager, Planning & Program Division.

City of Houston Public Works Department, Houston, Texas. Mark Kosmoski, P.E., Assistant to the Director of Administration.

City of La Porte, La Porte, Texas. E. Matuszak, Councilman; Joel Albrecht, Director of Community Development.

City of Pasadena, Pasadena, Texas. Jimmie Coker, Director of Public Works.

Clear Lake Water Authority, Houston, Texas. David Plaisance, Director of Utilities.

Galveston Bay Foundation, League City, Texas. Linda Shead, Executive Director; Jim Blackburn, Legal Counsel.

Gulf Coast Waste Disposal Authority, Houston, Texas. Joe P. Teller, Manager of Special Projects & Technical Services.

Gulfway Utility District, Houston, Texas.

Harris County Flood Control District, Houston, Texas. Jim Green, Special Projects Director.

Harris County Health Department, Houston, Texas. John Williams, Director, Environmental Health Division.

Harris County Pollution Control, Pasadena, Texas. Allison Pierce, Director.

Harris-Galveston Coastal Subsidence District, Friendswood, Texas. Jim DeBerry, Assistant General Manager.

Taylor Lake Village, Seabrook, Texas. Alice Riley, City Secretary.

Terry A. Anderson, Harris County Engineer, Houston, Texas.

APPENDIX D
Galveston Bay National Estuary Program

(excerpted from the GBNEP Member Directory)

The Galveston Bay National Estuary Program (GBNEP) is a management conference composed of six committees and a Program Office. This organizational structure is shown on page 78. The committee members were appointed under the authority of Governor William P. Clements, Jr., and Robert Layton, Administrator, EPA Region VI, to represent the broadest possible spectrum of interested Galveston Bay users. One committee, the Galveston Bay Public Forum, is open to anyone with a desire to join. Numerous subcommittees have also been appointed for specific tasks, and these may also include individuals who are not conference members.

The function of the GBNEP is to create a Comprehensive Conservation and Management Plan (CCMP) for Galveston Bay by September 1994. This is part of a larger national EPA National Estuary Program to improve conditions in the nation's significant estuaries. Accomplishing this task will involve numerous environmental and economic factors, and an integration of the diverse agency jurisdictions now applying to Galveston Bay. Detailed plans for this work are outlined in the EPA-State Management Conference Agreement (Publication GBNEP-1, available from the Program Office).

The GBNEP is administered by the Program Manager and staff, who are Texas Water Commission employees hired with the approval of the Policy Committee.

Program ManagerDr. Frank S. Shipley
Public Participation Director.....Kevin Hamby
Research Administrator Russell Kiesling

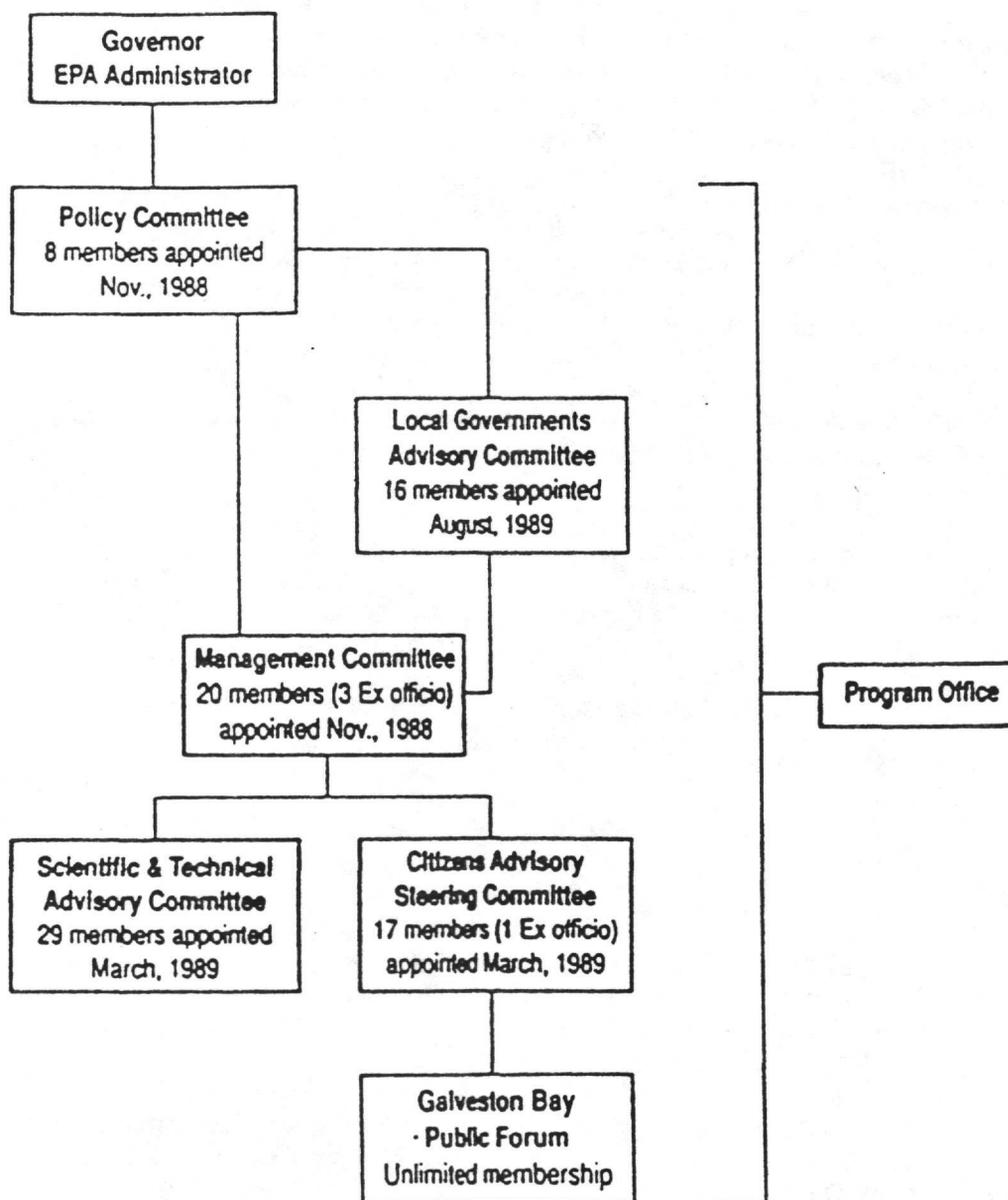
Galveston Bay National Estuary Program
University of Houston at Clear Lake
2700 Bay Area Boulevard
Box 164
Houston, Texas 77058
713/488-9495

The following officials of the U.S. Environmental Protection Agency are involved with the GBNEP at the regional and national levels:

Kenneth Teague
U.S. Environmental Protection Agency
Region VI
Technical Section
Water Quality Mgmt. Branch
1445 Ross Avenue
Dallas, Texas 75202-2733
214/655-7145

Lore Hantske
Technical Support Division
Office of Marine and Estuarine Protection - T
U.S. Environmental Protection Agency (WH556-F)
401 M Street, SW
Washington, DC 20460
202/475-7111

Galveston Bay National Estuary Program Management Conference Structure



GBNEP Policy Committee

The Honorable J. E. (Buster) Brown
Texas State Senate
PO Box 888
Lake Jackson, TX 77566
409/297-5261

Mr. Walter Cardwell
2906 Glenview
Austin, TX 78703
512/469-9563

Ms. Carol Dinkins
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3300 First City Tower
1001 Fannin
Houston, TX 77002-6760
713/651-2528

Mr. John Wilson Kelsey
Commissioner
Texas Parks and Wildlife Department
5065 Westheimer, Suite 1200
Houston, TX 77056
713/940-9152

Mr. Robert Layton (VICE-CHAIRMAN)
Regional Administrator
U.S. Environmental Protection Agency
Region VI
1445 Ross Avenue
Dallas, TX 75202-2733
214/655-2100

Mr. Frank Smith, Jr.
3330 Bering Drive
Houston, TX 77057
713/780-2514

The Honorable Terral Smith
Texas House of Representatives
PO Box 2910
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512/463-0700

Mr. B. J. Wynne, III (CHAIRMAN)
Chairman
Texas Water Commission
PO Box 13087; Capitol Station
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512/463-7910

GBNEP Management Committee

Mr. James Blackburn
Galveston Bay Foundation
3131 Eastside, Suite 450
Houston, TX 77098
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PO Box 13087, Capitol Station
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Coastal Division
Texas General Land Office
Stephen F. Austin Building
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Mr. Gerry Griffin
President
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713/651-1313

Mr. David Hankla
Field Supervisor
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U.S. Fish & Wildlife Service
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Houston, TX 77058
713/750-1700

Mr. Mike Hightower
Deputy Director
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Texas A&M University
College Station, TX 77843-4115
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Mr. Myron O. Knudson, P.E. (CHAIRMAN)
Director
Water Management Division 6W
U.S. Environmental Protection Agency
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Mr. Fred Liscum
Assistant Subdistrict Chief
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2320 LaBranch, Room 1112
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Texas Parks & Wildlife Department
4200 Smith School Road
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713/785-8217

Colonel Brink P. Miller
District Engineer
U.S. Army Corps of Engineers
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Galveston, TX 77553-1229
409/766-3001

Mr. Don Moore
Area Supervisor
National Oceanic and Atmospheric
Administration
National Marine Fisheries Service
Habitat Conservation Division
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Galveston, TX 77551-5997
409/766-3699

Mr. F. A. Odum
President
Galveston Chamber of Commerce
U.S. National Bank
PO Box 179
Galveston, TX 77553
409/763-1151

Mr. Don Reynolds
Route 3, Box 353
Dickinson, TX 77539
713/339-3147

Mr. Jack Steele
Executive Director
Houston-Galveston Area Council
PO Box 22777
Houston, TX 77227-9972
713/627-3200

Mr. Dan Vaughan
McLeod, Apffel, Alexander and Powell
Attorneys at Law
PO Box 629
Galveston, TX 77553
409/488-7150

Mr. Gary Westmoreland
Assistant Conservationist
Soil Conservation Service
U.S. Department of Agriculture
101 South Main
Temple, TX 76501
817/774-1360

Ex Officio, Non-Voting Members:

The Honorable Ray Holbrook
County Judge
Galveston County
722 Moody
Galveston, TX 77550
409/766-2244
(Chairman, Local Governments Advisory
Committee)

Dr. Sammy M. Ray
Professor
Marine Biology Department
Texas A&M University at Galveston
PO Box 1675
Galveston, TX 77553-1675
409/740-4526
(Chairman, Scientific/Technical Advisory
Committee)

Ms. Sharon Stewart
Texas Environmental Coalition
PO Box 701
Lake Jackson, TX 77566
409/297-6360
(Chairwoman, Citizens Advisory Steering
Committee)

APPENDIX E Agency Directory

Federal Agencies

Federal Emergency Management Agency
Insurance and Mitigation Division
Region VI
800 N. Loop 288
Denton, TX 76201
817/898-9134

U.S. Environmental Protection Agency
Water Quality Branch
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Dallas, TX 75202
214/655-7145

National Marine Fisheries Service
Habitat Conservation Division
4700 Avenue U
Galveston, TX 77550
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U.S. Fish and Wildlife Service
Division of Ecological Service
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Houston, TX 77058
713/750-1700

U.S. Army Corps of Engineers
Regulatory Branch
Galveston District
PO Box 1229
Galveston, TX 77553-1229
409/766-3930

U.S. Geological Survey
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Houston, TX 77004
713/750-1662

Soil Conservation Service
U.S. Department of Agriculture
16151 Cairnway, Suite 209
Houston, TX 77084
713/855-8716

State Agencies

Railroad Commission of Texas
Oil and Gas Division
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PO Drawer 12967
Austin, TX 78711-2967
512/463-6887

Texas Department of Health
Shellfish Sanitation Control Division
1100 West 49th Street
Austin, TX 78756
512/458-7510

Texas Air Control Board
6330 Highway 290 East
Austin, TX 78723
512/451-5711

Texas Department of Health
Solid Waste Management Division
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Austin, TX 78756
512/458-7271

Texas Department of Agriculture
Agricultural Resources Protection
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Texas Department of Health
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Austin, TX 78756
512/458-7533

**Texas Department of Highways and Public
Transportation**
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Houston, TX 77251
713/869-4571

Texas Department of Public Safety
Division of Emergency Management
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512/465-2138

Texas General Land Office
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Austin, TX 78711
512/463-5055

Texas Parks & Wildlife Department
Environmental Assessment Branch
Resource Protection Division
4200 Smith School Road
Austin, TX 78744
512/389-4639

**Texas State Soil & Water Conservation
Board**
PO Box 658
Temple, TX 76503-0658
817/773-2250

Texas Water Commission
Water Quality Standards and Evaluation
Section
Water Quality Division
PO Box 13087, Capitol Station
Austin, TX 78711-3087
512/463-8412

Texas Water Development Board
PO Box 13231, Capitol Station
Austin, TX 78711-3231
512/463-7981

Local Agencies

Armand Bayou Nature Center
8600 Bay Area Boulevard
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Houston, TX 77258
713/474-2551

Bayfield Public Utility District
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Webster, TX 77598

City of Deer Park
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PO Box 700
Deer Park, TX 77536
713/479-2394

City of Houston
Environmental Pollution Control
7411 Park Place Boulevard
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City of Houston
Public Works Department
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Houston, TX 77251
713/247-2507

City of Pasadena
Department of Public Works
PO Box 672
Pasadena, TX 77501
713/477-1511

City of Taylor Lake Village
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Seabrook, TX 77586
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Clear Lake Water Authority
900 Bay Area Boulevard
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713/488-1164

Galveston Bay Foundation
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League City, TX 77573
713/524-0240

Gulf Coast Waste Disposal Authority
Special Projects and Technical Services
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713/488-4115