

**Nonpoint Source (NPS)
Stakeholder Advisory Group Meeting
Meeting Summary - November 13, 2003**

Opening Remarks

Linda Brookins, TCEQ Watershed Management Team Leader, introduced Randy Wood, Deputy Director of TCEQ's Office of Environmental Planning, Assessment & Analysis, who welcomed the group. Mr. Wood expressed the importance of stakeholder involvement in Texas' water quality management strategy, particularly in the development of the five-year update of the NPS Assessment Report and Management Program.

NPS Management Program

Brandi Reeves Stark, TCEQ Project Manager, presented information about the scope of this project and the purpose of the NPS Assessment Report and Management Program. She discussed Section 319 of the Clean Water Act which requires States to develop a management program, and update it on a five-year cycle, in order to be eligible for grant funding under the federal NPS program. The role of advisory group members will be to:

- ! Discuss the goals and milestones to be included in the plan
- ! Identify additional implementation and education programs
- ! Review and comment on program discussions
- ! Review and comment on document content

Comments will be due by December 19, and the advisory group will meet again in January to discuss how the comments were incorporated into the document. After the advisory group's input is finalized, the document will be posted for public comment. It must be signed by the Governor before it is sent to EPA for approval. The target for completion of the project is July 2004.

Future of Nonpoint Source Management

Randall Rush, EPA, gave background information and reported on the current status and future direction of the EPA Region 6 Nonpoint Source Pollution Control Program. Three points of focus for the future:

- ! Update State Management Plan - The purpose of this advisory group is to assist in the update.
- ! 2004 CWA §319 Guidelines - EPA proposed new guidelines for the program which need to be considered when updating the management program.
- ! OMB Performance Goals - President Bush has decided to use a ranking process to compare states' progress toward the federal goals of the program. The OMB Performance Goals may be used in the future to determine funding levels. Measures being considered include sediment loadings, nitrogen loadings, and the number of impaired water bodies that were improved.

In response to a question about accountability, Mr. Rush said he was not aware of any EPA reports that summarize the Texas NPS program or its water quality improvements, but there is a general accounting by land use. EPA conducts a semi-annual programmatic review, but has not put out any document on this review. EPA also tracks where the money goes.

The State's Goals for NPS Management

Linda Brookins, and Kevin Wagner, TSSWCB, discussed long- and short-term goals proposed as the basis for the new management program, as well as new milestones the two agencies have drafted for the State's program. The following issues were raised during open discussion:

- ! The law requires advisory committees be limited to 24 members. We tried to get broad representation, but 24 members may not be adequate to meet our needs. We contacted each entity to get their organization's activities represented in the report.
- ! How does the CWA §319 program differ from CWA §106 and EQIP? The 106 grant funds water

quality programs at TCEQ for standards, modeling, monitoring and permitting. The 319 grant is an implementation grant which must be awarded to governmental entities; it cannot be given to individual farmers. TSSWCB funds on-farm water quality management practice activities through EQIP.

- ! There was a lengthy discussion on the need to better define BMPs or strategies. It's difficult (or impossible) to quantify the effectiveness of many BMPs, but there is pressure to demonstrate the projects selected for funding are successful. Projected load reductions and success rates must be in the grant proposals, but these calculations cannot be done scientifically due to differing inputs to the "system". Projects should not be forced to achieve goals that cannot be reached or are just a guess. It is difficult to base our projects on good science and then be able to itemize sources and approximate the effectiveness of the BMP. We need to invest our money on BMPs that will make a difference. We need better science to get a successful TMDL.
- ! The Clean Rivers Program has helped support pre- and post-monitoring needs that are hard to fund through 319, and these costs can be used as match.
- ! Coordination and partnerships are essential to incorporating and addressing information communities have regarding where development will occur. Local stakeholders need to bring attention to these areas. For example, HGAC and Texas Cooperative Extension are working to bring land use and water quality elements together by maintaining open space in developing areas in and around Harris County.

Management Program Contents

TCEQ and TSSWCB staff laid out the organization, structure and content of the draft Nonpoint Source Pollution Assessment Report and Management Program. The staff further explained the advisory group's role and how its input will be incorporated into the document. Details of the presentations can be viewed in the slide show. Topics were presented by the following staff:

- ! Coordination - Linda Brookins - The FY04 grant opportunity will be advertised in December.
- ! Assessment Programs - Brandi Stark
- ! TCEQ Implementation Programs - Carol Whittington, TCEQ
- ! Other State and Local Implementation Programs - Sherri Serna, TCEQ
- ! Groundwater Implementation Programs - Cary Betz, TCEQ, made the presentation. In response to a question, Mr. Betz said the TGPC asked the legislature to provide water well plugging funds to take care of 'problem' water wells, but there was no action on it during the past session. The TGPC has an outreach committee that addresses this problem and its funding.
- ! Agricultural and Silvicultural Implementation & Education Programs - Kevin Wagner
- ! Best Management Practices - Bill Carter, TCEQ, explained the BMP Finder will be a vital (living) section of the management plan. It will be a separate reference document so it can be updated.
- ! Appendices - Jay Bragg, TSSWCB
- ! A suggestion was made to add a statement at the beginning of the report explaining how groundwater and storm water relate to NPS.

Wrap-Up

Jay Bragg, TSSWCB, discussed the process and schedule for the project, including deadlines for submitting comments.

- ! Comments are due on the first draft by **December 19** - Send to Brandi Reeves Stark
- ! Comments are due on the BMP Finder by **December 19** - Send to Bill Carter
- ! The **next meeting** was tentatively scheduled for Jan 22, but was later rescheduled for **January 29** at the Red Lion Hotel in Austin, Texas.

Stakeholder Advisory Group Members Present:

<u>Name</u>	<u>Organization</u>
Pat Radloff	TX Parks and Wildlife
Isabella Ip	Texas Chemical Council
Erik Hobson	San Antonio Water System
Carl Masterson	Houston-Galveston Area Council
Miles Hall	Sabine River Authority
Kyle Headley	Brazos River Authority
Jeff Walker	TX Water Development Board
Mary Arnold	League of Women Voters
John Barrett	Coastal Coordination Council
Mary Sanger	Environmental Defense Fund
Norm King	Texas Department of Transportation
Leslie Savage	Railroad Commission of Texas
Raika Hammond	Texas Municipal League
Burl Carraway	Texas Forest Service
Mike McMurray	Texas Department of Agriculture
Allan Jones	Texas Water Resource Institute
Eddy Edmondson	Texas Nursery and Landscape Assoc.
Sam Brush	North Central Texas Council of Governments
Tom Hegemier	Lower Colorado River Authority
Brian Smith	Barton Springs/Edwards Aquifer Cons. District
Tammy Brooks	General Land Office