

**Nonpoint Source (NPS)  
Stakeholder Advisory Group Meeting  
Meeting Summary – January 29, 2004**

**Opening Remarks – 1:30 session**

Linda Brookins, TCEQ Watershed Management Team Leader, opened the afternoon session with introductions of the Advisory Group and a review of the purpose of the NPS Management Plan, the Advisory Group, and the meeting. Because the NPS Management Plan represents the activities of every entity in the state to address NPS problems statewide, one of the most important roles of the Advisory Group is to guide the development of the Nonpoint Source Management Plan. Many valuable comments have been received thus far. Once this document is completed, it will be going to the TCEQ, TSSWCB, Governor, and EPA for approval.

Linda also briefly discussed the Annual Report, which is a joint report of the TCEQ and TSSWCB. This report is required by EPA to identify how the goals and milestones described in the NPS Management Plan were met in the previous year. Currently, the 2003 report is being drafted and will go out to Stakeholders once it is completed. It will also be posted to the Internet for review.

**Comments Received – 2:00 session**

Brandi Reeves Stark, TCEQ Project Manager, presented the second draft of the Nonpoint Source Pollution Assessment Report and Management Program (see attached PowerPoint presentation). She stated that most of the comments received from the Advisory Group on the first draft were addressed through changes to chapters 1 and 2. In addition, Memorandums of Understanding (MOUs), Memorandums of Agreement (MOAs), and appendices were added to the second draft.

**Open Discussion – 2:45 session**

Open Discussion was then held to allow the Advisory Group and other stakeholders the opportunity to provide additional comments on the NPS Management Plan.

The Advisory Group recommended that an Appendix be added to discuss the history of NPS Program. Items that should be included are SB835, the Clean Water Act, the 1987 Amendments, the date of the first State Advisory Group meeting, references to the Water Code, items that got people started on addressing water issues, etc.

Those present supported the strengthening of the groundwater section. A member of the audience inquired about funding for groundwater studies. Section 319(i) of the Clean Water Act was established specifically for providing funding for protecting groundwater quality. However, this activity has never been funded by Congress. Instead, EPA has allowed Section 319(h) funding for it in instances when it is considered to be a high priority by the states. A member of the audience expressed concern that some surface water BMPs may cause contamination of groundwater and stated that a comprehensive evaluation of the impacts of BMPs was needed prior to implementation. TCEQ responded

that their projects are reviewed by a water quality team, in addition to the NPS Team, which should address this in many cases.

The Advisory Group inquired about the longevity of the NPS Management Plan. The NPS Management Plan must be updated every five-years.

The Advisory Group then discussed the Assessment Report at length. Some members recommended that a priority watershed list be included to give a sense of the areas that would be targeted over the next five years. However, other members suggested that specific waterbodies not be included in this document and supported the current methodology of referring to the *Texas Water Quality Inventory and 303(d) List*.

Some members then suggested that perhaps the current *Texas Water Quality Inventory and 303(d) List* could be added as an appendix and that it be noted that new lists will be made available to ensure availability to everyone interested. However, other members stated that this probably wasn't necessary, because if the public makes the effort to read this document, then they will take the effort to find the *Texas Water Quality Inventory and 303(d) List*.

EPA noted that many waterbodies usually stay on the list year after year and that these could be included in the Assessment Report. As it stands, currently there are approximately 200 waterbodies listed. EPA stated that a priority list was needed to direct the utilization of the Incremental Funds. The "Statewide" funds could be utilized in other waterbodies not on the list to address arising issues and implement pollution prevention strategies.

A number of the members of the Advisory Group expressed the importance of protecting unimpaired waterbodies and implementing pollution prevention efforts through the NPS Management Program and requested that the process for completing these activities be described in the Plan.

The Advisory Group suggested that the NPS Management Plan should at least describe the priority setting process utilized by Texas, such as that utilized for the *303(d) List*.

Other members of the Advisory Group suggested that problem areas be listed in a regional sense instead of listing specific areas.

Following this lengthy discussion, Randy Rush, EPA, suggested that TCEQ, TSSWCB, and EPA meet separately to discuss the Assessment Report further.

The Advisory Group then inquired about education programs provided by TCEQ. TCEQ stated that a number of educational programs were provided through the 319 program, videos, etc.

The final action taken by the Advisory Group was determining the name that will be used for watershed based plans completed in Texas. Linda Brookins proposed the plans be referred to as "Watershed Protection Plans". This was approved by the Advisory Group.

**Wrap-Up and Adjourn – 4:15 session**

Jay Bragg, TSSWCB, handed out a contact sheet (see attached) for anyone who may have questions. He reiterated that EPA, TCEQ and TSSWCB would meet separately to iron out the concerns of the Advisory Group regarding the Assessment Report. Brandi Reeves Stark requested that final comments be turned in to her in March which would allow the final draft to be available in July 2004. Once all comments are in, negotiations with EPA can occur. Linda Brookins stated that any comments can be sent via email.

The meeting was adjourned at 4:20pm.