

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution
June 9, 2016

Public Comments Processing
Attn: Docket ID No. EPA-HQ-OW-2015-0335
Health and Ecological Criteria Division
Office of Water, MC 4304T
Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, D.C. 20460

Re: Public Comment; Draft EPA-USGS Technical Report: Protecting Aquatic Life From Effects of Hydrologic Alteration, Docket ID No. EPA-HQ-OW-2015-0335, *Federal Register*, Vol. 81, No. 71, April 13, 2016

Dear Sir or Madam:

The TCEQ appreciates the opportunity to comment on the Draft EPA-USGS Technical Report: Protecting Aquatic Life From Effects of Hydrologic Alteration.

The TCEQ reviewed the report and understands that the EPA and the USGS intended the report to serve as a technical guide for resource managers to consider in the continued efforts to protect aquatic life through various programs of the Clean Water Act. However, the TCEQ is concerned that the report does not clearly delineate where jurisdiction lies with regard to water quantity decisions. The TCEQ's comments on the draft report are attached.

Thank you for your consideration of our comments. If you have comments or questions concerning the enclosed comments, please contact Kim Wilson, Director, Water Availability Division at (512) 239-4644 or by e-mail at Kim.Wilson@tceq.texas.gov.

Sincerely,

A handwritten signature in black ink that reads "Richard A. Hyde".

Richard A. Hyde, P.E.
Executive Director
Texas Commission on Environmental Quality

Enclosure