



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270

March 19, 2020

L'Oreal Stepney, P.E., Deputy Director
Office of Water (MC-158)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Dear Ms. Stepney:

The Environmental Protection Agency (EPA or the Agency) has completed its review of several new and revised provisions in the 2014 Texas Surface Water Quality Standards (TSWQS). These standards were adopted by the Texas Commission on Environmental Quality (TCEQ), on February 12, 2014, and received by the EPA for review under section 303(c) of the Clean Water Act (CWA) on April 29, 2014.

This is the fourth EPA action concerning our CWA review of the 2014 standards and includes action on new and revised provisions in Appendix A, Appendix C and Appendix D of the TSWQS, as specified in the enclosure. Pursuant to section 303(c) of the CWA and the implementing regulation at 40 CFR part 131, the EPA is approving these provisions.

Section 7(a)(2) of the Endangered Species Act (ESA) requires that all federal agencies engage in consultation to ensure their actions are not likely to jeopardize the continued existence of any threatened or endangered species or result in adverse modification of designated critical habitat. EPA has determined that approval of the provisions identified of the enclosure, will have no effect on federally listed threatened and endangered species or on critical habitat.

The EPA will take subsequent action on the remaining new and revised provisions in the 2014 TSWQS. The EPA is also reviewing the remaining provisions in the 2010 and 2018 TSWQS submittals. If you have any questions or concerns, please contact me at (214) 665-7101, or have your staff contact Diane Evans at (214) 665-6677.

Sincerely,

Charles Maguire

Charles W. Maguire
Director
Water Division

Enclosure

cc: Lori Hamilton, Director
TCEQ - Water Quality Planning Division (MC-203)

EPA Review of Texas' 2014 Submittal of Revisions to *Texas Surface Water Quality Standards* under Section 303(c) of the Clean Water Act (March 2020)

On April 29, 2014, the Texas Commission on Environmental Quality (TCEQ) submitted to the EPA for review under section 303(c) of the Clean Water Act (CWA) revisions to the *Texas Surface Water Quality Standards* (TSWQS) adopted by TCEQ on February 12, 2014. The EPA has taken previous actions on portions of the 2014 TSWQS, by letters dated September 23, 2014, November 2, 2018, and January 6, 2020.

Appendix A - Site-specific Uses and Criteria for Classified Segments

EPA approves the revised dissolved oxygen (DO) criterion for Hillebrandt Bayou and the revised aquatic life use and DO criteria for the Atascosa River, as described in the following table:

Segment	Water Body	County	Aquatic Life Use	Revised dissolved oxygen criteria (average, minimum)
0704	Hillebrandt Bayou	Jefferson	Intermediate (no revision)	2.5 mg/L - 24-hour minimum (no revision for DO average criterion)
2107	Lower Atascosa River	Live Oak, Atascosa	High (no revision)	4.0 mg/L - 24-hour average (no revision for DO minimum criterion)
2118	Upper Atascosa River	Atascosa	Intermediate	4.0 mg/L - 24-hour average (no revision for DO minimum criterion)

The removal of the public water supply use for segment 2118 – Upper Atascosa River is also approved, as there are no intakes for public water supplies or on-channel impoundments in segment 2118, as verified in TCEQ's *Drinking Water Watch* database.

Appendix C – Segment Boundary Descriptions

Consistent with the revised standards adopted for the Atascosa River, as described under Appendix A and Appendix D of this enclosure, EPA approves the following descriptions for the revision of segment 2107 and the creation of segment 2118:

- Segment 2107 - Lower Atascosa River from the confluence with the Frio River in Live Oak County to the confluence with Borrego Creek in Atascosa County
- Segment 2118 - Upper Atascosa River from the confluence with Borrego Creek to the confluence with Galvan Creek in Atascosa County

Appendix D – Site-specific Uses and Criteria for Unclassified Water Bodies

EPA approves the revised aquatic life use and DO criteria, as described in the following table:

Segment	Water Body	County	Aquatic Life Use	DO criteria (average, minimum)	Description
1111	Flag Lake Drainage Canal	Brazoria	Intermediate	4.0 mg/L, 3.0 mg/L	Perennial water body from the seaward pump station near the confluence with East Union Bayou upstream to the inland pump station near the confluence with the Brazos River
1402	Skull Creek	Colorado	High (no revision)	5.0 mg/L, 3.0 mg/L (October 16- March 14) 3.0 mg/L, 2.0 mg/L (March 15-October 15)	Perennial stream from the confluence with the Colorado River Below La Grange, upstream approximately 48 km (30 mi) to its headwaters
1434	Wilbarger Creek	Travis	High (no revision)	5.0 mg/L, 3.0 mg/L (no revision)	Perennial stream from the confluence of an unnamed tributary approximately 2.3 km (1.4 mi) upstream of US 290 upstream to the confluence of an unnamed tributary 2.3 km (1.4 mi) upstream of Cameron Road
1434	Wilbarger Creek	Travis	High	5.0 mg/L, 3.0 mg/L	Intermittent stream with perennial pools from the confluence of an unnamed tributary approximately 2.3 km (1.4 mi) upstream of Cameron Road upstream to the confluence of an unnamed tributary approximately 3.7 km (2.3 mi) downstream of FM 685
1434	Unnamed tributary of Wilbarger Creek	Travis	High (no revision)	5.0 mg/L, 3.0 mg/L (no revision)	Perennial stream from the confluence with Wilbarger Creek approximately 2.3 km (1.4 mi) upstream of the Cameron Road crossing of Wilbarger Creek upstream to the confluence of two forks of the tributary downstream of Jesse Bohls Road
2118	Atascosa River	Atascosa	Limited	3.0 mg/L; 2.0 mg/L	Intermittent stream with perennial pools from the confluence with Galvan Creek upstream to the confluence with Palo Alto Creek

EPA approves the following non-substantive revision to the segment number for West Prong Atascosa River, which is a tributary of the stream reach approved as segment 2118 – Upper Atascosa River. The 2014 revisions of the TSWQS included Wilbarger Creek and the unnamed tributary as within segment 1427. In the 2018 revision of the TSWQS, this was corrected to segment 1434 and is also approved. Editorial revisions for the description for Flag Lake Drainage Canal were adopted in the 2018 TSWQS (reflected above) and are approved.