

2016 Texas Integrated Report - Response to Public Comment

Texas Commission on Environmental Quality (TCEQ)

These comments address the TCEQ's Draft 2016 Texas Integrated Report for Clean Water Act Sections 305(b) and 303(d) List and were submitted during the comment period beginning May 4, 2018 and ending June 5, 2018.

COMMENTOR: City of Lewisville and Dallas County Park Cities Municipal Utility District

<u>Segment ID</u>	<u>Water Body Name</u>	<u>Summary of Request or Comment</u>	<u>Summary of Action or Explanation</u>
0822	<i>Elm Fork Trinity River Below Lewisville Lake</i>	These commenters objected to the listings of Segment 0822 for TDS and sulfate and the application of the impairments to the entire segment.	<p>TCEQ staff reviewed TDS values used in the 2016 IR for Segment 0822 and determined the listing as published for public comment was in error. The conductivity value reported on 12/14/2009 was determined to be the result of an instrument malfunction and flagged as invalid. The invalid value was removed from the dataset. The recalculated average was below the criterion indicating fully supporting for TDS. The attainment status for TDS in Segment 0822 was changed to fully supporting to reflect this error.</p> <p>Sample data for sulfates in segment 0822 were assessed for the draft 2016 IR in accordance with Section 307.9(e)(1) of the Texas Surface Water Quality Standards, and in the procedures described on page 3-30 of the Draft 2016 Guidance for Assessing and Reporting Surface Water Quality in Texas. These procedures specify that "all of the chloride, sulfate, and TDS values are averaged for all sites within the segment and compared to the criterion for each parameter. The assessment of general uses based on the average concentration applies to the entire length or area of the segment." Data for sulfates were collected only at monitoring station number 20287 and the average for data from this station was applied to the entire segment according to the procedures described above. The attainment status for sulfate in Segment 0822 was not changed in response to this comment.</p>

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COMMENTOR: Perkins Engineering

<u>Segment ID</u>	<u>Water Body Name</u>	<u>Summary of Request or Comment</u>	<u>Summary of Action or Explanation</u>
0822	<i>Elm Fork Trinity River Below Lewisville Lake</i>	It is requested that the 114.4 mg/L sulfate result for 5/21/2014 be excluded because it is not within two standard deviation for the set of data used in the assessment and it is outside of the range of data collected after 1990.	A review of the dataset used for the analysis of sulfates in segment 0822 indicates that the sample result for 5/21/2014 is one of 12 sample results within the assessment period that exceed the sulfate criterion for the segment. The sample value for 5/21/2014 is within the range noted in a historical review of sulfate sample results for the segment. The laboratory that analyzed the sample for this date confirmed all QA/QC results were within specifications. The sulfate sample result from 5/21/2014 will not be removed. More recent data will be included in future assessments and may result in outcomes where average sulfate levels are below the criteria that support removal of the impairment from the 303(d) List (category 5).

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COMMENTOR: San Antonio River Authority

<u>Segment ID</u>	<u>Water Body Name</u>	<u>Summary of Request or Comment</u>	<u>Summary of Action or Explanation</u>
1901F	<i>Ecleto Creek (Unclassified water body)</i>	Although Ecleto Creek will still have a dissolved oxygen (DO) grab minimum nonsupport and a DO grab average use concern, San Antonio River Authority (SARA) recommends changing the aquatic life use (ALU) designation from Limited (DO=3 mg/L average, 2 mg/L minimum) to Minimal (DO=2 mg/L average and 1.5 mg/L minimum) intermittent with pools; cannot support a significant aquatic life. The average of the 13 DO associated flow values collected at the USGS gage station 08186500 Ecleto Creek near Runge, TX., was 0.0 cfs.	The TCEQ plans to work with the SARA to gather additional information to evaluate and document the presence or absence of adequate pools to support significant aquatic life. No change to the existing ALU was made in response to the comment.
1902C	<i>Clifton Branch (Unclassified water body)</i>	The initial assessment of all the draft 2016 IR DO data agrees with the TCEQ DO Ave 3 mg/L, n=51, 20 Exceedances; DO Min 2mg/L n=51, 11 Exceedances. However, when removing the invalid data collected at low flows, n=46; DO Min=7 exceedances; DO Average=15 exceedances. The DO Minimum NS and DO Average CS remain.	Critical low-flow DO data are not excluded from the assessment for water bodies that are intermittent with pools. This is consistent with p. 2-15 of the Draft 2016 Guidance for Assessing and Reporting Surface Water Quality in Texas and §307.8 of the Texas Surface Water Quality Standards.
1902C	<i>Clifton Branch (Unclassified water body)</i>	The draft 2016 IR identifies Clifton Branch as perennial with a DO criterion of 5 mg/L average and 3 mg/L minimum with a high ALU. On Feb 2, 2017 SARA submitted to the TCEQ the SURFACE WATER QUALITY MONITORING SURVEY OF STREAM FLOW-TYPE form to change the flow type from perennial to intermittent with pools.	The TCEQ agrees with the comment and the Draft 2016 Water Bodies Evaluated Report for Clifton Branch was changed from perennial to intermittent with pools.

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COMMENTOR: San Antonio River Authority

<u>Segment ID</u>	<u>Water Body Name</u>	<u>Summary of Request or Comment</u>	<u>Summary of Action or Explanation</u>
1908	<i>Upper Cibolo Creek</i>	As a result of the 2016 TCEQ/SARA/Boerne Aquatic Life Monitoring (ALM), it was SARA's understanding the 1908_02 habitat screening level concern would be removed and the bacteria impairment would remain until sufficient acceptable bacterial results are obtained at Station 20821 Cibolo Creek Northrup.	The ALM Physical Habitat (PHAB) results for the new location falls outside the period of record for the draft 2016 IR. However, PHAB results from the new location indicates the stream can obtain a high Habitat Quality Index and it is anticipated the Screening Level Concern (CS) will be changed to No Concern in the future. The new results confirm the previous location was not representative due to stream morphology changes as a result because of the construction of the Interstate Highway 10 bridge. Consequently, the PHAB Integrated Level of Support will be changed from a CS to Not Assessed for the draft 2016 IR.
1910D	<i>Menger Creek (Unclassified water body)</i>	The draft 2016 IR identifies Menger Creek as being perennial. SARA believes the flow type of intermittent with pools would be more appropriate. On Jan 25, 2017, SARA submitted to the TCEQ the SURFACE WATER QUALITY MONITORING SURVEY OF STREAM FLOW-TYPE form to change the flow type from perennial to intermittent with pools.	The TCEQ agrees with the comment and the Draft 2016 Water Bodies Evaluated Report for Menger Creek was changed from perennial to intermittent with pools.

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COMMENTOR: Texas Parks and Wildlife Department

<u>Segment ID</u>	<u>Water Body Name</u>	<u>Summary of Request or Comment</u>	<u>Summary of Action or Explanation</u>
0302	<i>Wright Patman Lake</i>	Segment 0302 (Wright Patman Lake) – AU 0302_11 is described as “2700 acres near dam” in the draft 2016 IR, but in the Draft Water Bodies and Parameters Removed from the 303(d) List, it is described as “300 acres at International Paper intake.” Please clarify which area is being de-listed for dissolved oxygen.	For the draft 2016 IR, AUs in Wright Patman Lake were consolidated in consultation with data providers. AU 0302_11 is the new assessment unit that includes the retired AU 0302_02 (300 acres at International Paper intake) and several other AUs. The description was in error in the Draft Water Bodies and Parameters Removed from the 303(d) List document and was revised to “2700 acres near dam.” This area will be de-listed for dissolved oxygen in the draft 2016 IR.
0804M	<i>Bassett Creek (Unclassified water body)</i>	Basset Creek is spelled as “Bassett” in the draft report. Our information from the National Hydrography Dataset is that the name of the stream is spelled with one “t” at the end of the word.	The 2018 revision to the Texas Surface Water Quality Standards includes Bassett Creek in Appendix D as spelled with two “t’s” at the end of the word. To maintain consistency, the spelling of Bassett will not be changed in the draft 2016 IR.
1403E	<i>Stillhouse Hollow (Unclassified water body)</i>	Segment 1403E (Stillhouse Hollow) – listed as concern for nitrate. It appears that the monitoring site may be very close to a spring, which could be influencing the nitrate levels. Perhaps this issue could be addressed through the coordinated monitoring process.	The location of the monitoring station will be discussed with the data providers during the 2019 Coordinated Monitoring Meeting.

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COMMENTOR: Texas Water Resources Institute

<u>Segment ID</u>	<u>Water Body Name</u>	<u>Summary of Request or Comment</u>	<u>Summary of Action or Explanation</u>
1501	<i>Tres Palacios Creek Tidal</i>	A 5a impairment category is indicated for Tres Palacios Creek Tidal (Assessment Unit 1501_01). This assessment unit has an approved TMDL and Implementation Plan for indicator bacteria and should be listed as Category 4a.	Page 5-7 of the Draft 2016 Guidance for Assessing and Reporting Surface Water Quality in Texas indicates recategorization to 4a occurs "during the assessment that immediately follows EPA approval of a TMDL for that parameter." This TMDL was approved by EPA on 3/29/2018 and as a result will be recategorized to category 4a in the draft 2016 IR.
2456	<i>Carancahua Bay</i>	A 4a impairment category is indicated for Carancahua Bay (Assessment Unit 2456_02). This assessment unit does not have a complete implementation plan for indicator bacteria (the TMDL and Implementation Plan are under development) and should be listed as 5a.	Page 5-7 of the Draft 2016 Guidance for Assessing and Reporting Surface Water Quality in Texas indicates that recategorization to category 4a occurs "during the assessment that immediately follows EPA approval of a TMDL for that parameter." The bacteria TMDL in Carancahua Bay (Assessment Unit 2456_02) has not been approved by EPA. In response to the comment, this impairment category will be changed from category 4a to category 5a for the draft 2016 IR.

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COMMENTOR: Tischler/Kocurek

<u>Segment ID</u>	<u>Water Body Name</u>	<u>Summary of Request or Comment</u>	<u>Summary of Action or Explanation</u>
2425, 2453D, 2454, 2482, 2484	<i>Clear Lake, Lavaca Bay Ship Channel Area (Unclassified water body), Cox Bay, Nueces Bay, Corpus Christi Inner Harbor</i>	<p>Comments were raised regarding six new copper impairments on five segments. Tischler/Kocurek suggests TCEQ conduct additional review of reported sample results for copper to consider whether:</p> <ul style="list-style-type: none"> • TDS or memory interferences with laboratory analyses impacted reported results, • Dilutions were performed to compensate for elevated TDS levels in these receiving waters and if reporting/detection limits were impacted by dilutions, • Elevated detection/reporting limits impacted impairment evaluations, • A description of how TCEQ evaluates sample results for copper reported as “non-detect” in assessment determinations, and • Contaminated field filters may have affected reported results. 	<p>TCEQ staff conducted a review of the data and Quality Control (QC) results associated with metals in water samples from these water bodies. These records indicate that laboratories used by the TCEQ implemented consistent methods (EPA Method 200.8) to analyze dissolved copper and no procedural variances or deficiencies were identified which would impact impairment determinations.</p> <p>Specifically,</p> <ul style="list-style-type: none"> • No evidence of TDS or memory interferences was identified, • Dilutions were routinely performed by the laboratories, and reporting limits were adjusted appropriately, • Elevated detection and reporting limits did not contribute to impairment determinations, • When values are reported below the limit of quantitation (LOQ), otherwise known as the reporting limit, TCEQ uses the lesser of half the LOQ or half the criterion for chronic toxicants including copper. Additionally, values reported below the LOQ with an LOQ that exceeds criteria are not counted as exceedances for acute toxicants, including copper. This is in accordance with procedures described on page 2-16 of the Draft 2016 Guidance for Assessing and Reporting Surface Water Quality in Texas. • No evidence of contaminated field filters was identified. <p>It should be noted that two sample results were removed from the assessment after TCEQ found that QC data for laboratory equipment blanks could not be associated with these results. As a result, reassessments were performed for Segments 2453D and 2454. Following reassessment, both of these waterbodies were again determined to be impaired for elevated levels of copper in water to protect aquatic life uses.</p>