

## First Submission of the Draft 2018 Texas Integrated Report - Response to Public Comment

### Texas Commission on Environmental Quality (TCEQ)

These comments address the TCEQ's First Submission of the Draft 2018 Texas Integrated Report for Clean Water Act Sections 305(b) and 303(d) List and were submitted during the comment period beginning March 22, 2019 and ending April 22, 2019.

#### 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>
NA	NA	<p>Texas Parks and Wildlife Department (TPWD) commented that insufficient time was provided for review of the <i>Draft 2018 Guidance for Assessing and Reporting Surface Water Quality in Texas (Draft 2018 Guidance)</i>. TPWD also commented that there was insufficient coordination related to changes to the <i>Draft 2018 Guidance</i> after the Guidance Advisory Work Group Meeting held on August 24, 2018. TPWD commented that it is unclear how public comment can be incorporated into the IR because the IR was completed, and data provider input was already submitted. Lastly, TPWD commented that a summary highlighting changes to the guidance would have been helpful and requests that TCEQ produce a summary document to accompany future revisions to guidance to show changes that have been made.</p>	<p><i>The Draft 2018 Guidance</i> document was made publicly available on the TCEQ's website for review and comment during the public comment period for the <i>Draft 2018 Texas Integrated Report for Surface Water Quality – Spring Creek (Segment 1008)</i> (first submission of Draft 2018 IR). A 30-day public comment period was provided for both the Draft 2018 Guidance document and the <i>Draft 2018 Texas Integrated Report for Surface Water Quality – Spring Creek (Segment 1008)</i> (first submission of Draft 2018 IR). Information regarding the public comment period for both the first submission of the Draft 2018 IR and <i>Draft 2018 Guidance</i> document was provided on the TCEQ's website. Only one comment, from TPWD, was received during the public comment period.</p> <p>The TCEQ plans to make the <i>Draft 2018 Guidance</i> document available for review and public comment, along with the 30-day public comment period for the <i>Draft 2018 Texas Integrated Report for Surface Water Quality</i> (second submission of Draft 2018 IR). The TCEQ will review and consider all comments received during the public comment period, and make any changes to the IR, as appropriate, in response to the comments received.</p> <p>The TCEQ will consider options for documenting changes to the <i>Guidance for Assessing and Reporting Surface Water Quality in Texas</i> document in the future.</p>

June 26, 2019

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**COMMENTOR:** Texas Parks and Wildlife Department

<b><u>Segment ID</u></b>	<b><u>Water Body Name</u></b>	<b><u>Summary of Request or Comment</u></b>	<b><u>Summary of Action or Explanation</u></b>
1008	Spring Creek	<p>The following comments were made about the first submission of the Draft 2018 IR:</p> <ul style="list-style-type: none"><li>• TPWD raised questions and concerns about releasing an IR assessment on a single waterbody in advance of a full assessment, noting that this has never happened before to the best of their knowledge. TPWD raised a concern about the precedent this would create for future IRs. They stated that they were unclear on why the water quality standards change for Spring Creek resulted in a standalone IR being completed for this water body.</li><li>• TPWD commented that the Guidance Advisory Work Group (GAWG) should have been provided an opportunity for input when the decision to complete the first submission of the Draft 2018 IR was being made.</li><li>• TPWD commented that the period of record for the Draft 2018 IR is December 1, 2009 through November 30, 2016, that the Draft Guidance requires a threshold of 10 samples for data used in the 2018 IR, and that only eight samples were obtained during the period of record for the 24-hour dissolved oxygen assessment. Additionally, TPWD commented that it appeared from its review of the data set used for Spring Creek, that three additional 24-hour DO samples (March, May, and June of 2017) were added to the data set and that all the samples were beyond the period of record.</li></ul> <p>TPWD commented that the language of the <i>Draft 2018 Guidance</i> (p. 2-10) allows for the use of data from three years before the assessment period (November 30, 2006-December 30, 2009), and that TCEQ should have used data from before the assessment period if possible, rather than after the assessment period.</p> <p>TPWD commented that a clear, known end date exists, in part, to ensure all data providers have a known deadline by which to provide data for analyses in the IR. Additionally, TPWD commented that if data collected after the period of record for one water body is used, it seems other data providers should have the opportunity to provide more recent data. It may be that more recent data was available from other entities for Spring Creek. TPWD commented that it recommends that in the future, the date range for data use in the IR as spelled out in the Guidance be followed and, if deviated from, that all stakeholders are notified and have an opportunity to weigh in on the process or provide additional data.</p>	<p>The two separate submissions of the 2018 IR is an unusual case due to the timing of the EPA approval of the standards change for Spring Creek. The second submission of the 2018 IR is anticipated to be in the fall. The TCEQ looks forward to continuing to work with TPWD in the future.</p> <p>No 24-hour dissolved oxygen data from December 1, 2006 through November 30, 2009 were available for use in the assessment. TCEQ used data after the standard period of record to maximize the use of data. As per <i>Draft 2018 Guidance</i>, at least half of the samples fell within the period of record. There were no exceedances within the standard period of record and additionally, no exceedances for the three data points collected after November 30, 2016. Since this dataset included no exceedances of the criteria it would represent robust support for a delisting.</p> <p>No additional data was received during the public comment period. One comment letter, from TPWD, was received during the public comment period.</p>