

**Meeting Summary**  
**Atascosa River Bacteria Total Maximum Daily Load**  
**Public Meeting**  
**Evergreen Underground Water Conservation District**  
**August 21, 2007**  
**7:00 – 8:40 pm**

**Attendees**

Rocky Freund- Nueces River Authority (NRA)  
Cary D. Cochran- Local Rancher/Environmental Scientist  
Adrian Perez- Texas State Soil and Water Conservation Board (TSSWCB)  
Tony Franklin- Atascosa Soil and Water Conservation District (SWCD)  
Carol Merchant & L.D. Hooge- Local Farmers  
Rigo Lopez- USDA Natural Resources Conservation Service (NRCS)  
Fred F. Katcsmorak  
William O. Lamb- City of Pleasanton  
Stanley & Nancy Coughran  
Diana J. Bautista- Atascosa Co.  
Pete J. Pavelek- Atascosa Co.  
Clifton Stacy- Evergreen  
James R. Hill  
Jim James- Atascosa Co.

**Support staff**

Andrew Sullivan- Texas Commission on Environmental Quality (TCEQ)  
Aaron Wendt- TSSWCB  
Larry Hauck- Texas Institute for Applied Environmental Research (TIAER)  
David Pendergrass- TIAER

**Administrative Issues**

A public meeting on the Atascosa River Bacteria Total Maximum Daily Load (TMDL) project was conducted on Tuesday, August 21, 2007 from 7:00 pm – 8:40 pm at the Evergreen Underground Water Conservation District in Pleasanton, Texas. The meeting was conducted to inform the public about the status of the ongoing Atascosa River bacteria TMDL project and dissolved oxygen studies. Hard-copies of the PowerPoint presentations were provided along with reports and maps.

**Introductions**

Andrew Sullivan, the project manager from TCEQ, opened the meeting and self-introductions were made by support staff and attendees.

**Introduction to The TMDL Process**

Mr. Sullivan presented a general introduction to the TMDL process in Texas. He explained the legal history of TMDLs including the Clean Water Act (CWA) then outlined the water assessment process, data and results reporting, 303(d) listing, and restoration options. He defined TMDL and described its benefits to the watershed and community. A flow chart of the TMDL process was presented, including the points at which watershed stakeholders have opportunities to inform the process (TMDL allocation report & development of the implementation plan). Two kinds of restoration processes were described: Implementation Plans (I-Plans) for impaired waters and Watershed Protection Plans (WPPs) for either remedial or preventative programs. *Control actions* for point source discharges and *management measures* for nonpoint sources were explained. It was emphasized that remediation may take many years and undergo several iterations. Control actions may affect permits for point sources. Best Management Practices (BMPs) are voluntary and may be implemented on nonpoint sources. The iterative process for management measures was described.

### **Overview Of Water Quality Impairments**

Larry Hauck explained TMDLs in the context of the Atascosa River. The geography and designated uses of the river were described with emphasis on the aquatic life use and contact recreation use. Dr. Hauck also described the reasons why some reaches on the Atascosa River were 303(d) listed and offered a brief tutorial on the roles of dissolved oxygen (DO) in watershed ecology and aquatic life use and of the indicator bacteria *Escherichia coli* (*E. coli*) in assessing the recreation use. He also explained that under present Texas surface water quality standards all streams and rivers are assigned a contact recreation use.

### **Atascosa River Impairment Verification**

Mr. Sullivan outlined the TMDL project history and verification assessment study design. Results showed that the percent of samples exceeding High Aquatic Life Use criteria for DO was greatest just below Pleasanton, TX (station 17899) with no exceedances at the lowermost site (12980). With the exception of site 17898 (in Pleasanton), *E. coli* exceeded single sample criteria for contact recreation use at least 43% of the time with geometric means 2 to 3 times greater than the criterion of 126 col./ 100ml. Mr. Sullivan indicated that to address the low DO and corresponding nonsupport of the high aquatic life use, the first step is to have the TCEQ Standards Team review the appropriateness of the designation of the high aquatic life use and to potentially adjust the water quality standards. The high *E. coli* concentration and resulting nonsupport of the contact recreation use will be addressed through development of a TMDL.

### **Addressing Recommendations From The Joint Task Force On Bacteria TMDLs**

Mr. Sullivan provided an overview of the findings from the Joint Task Force on Bacteria TMDLs. The major issues facing bacteria TMDLs were presented by Andrew Sullivan including the recent increase in the number of impaired segments on the draft 2006 303(d) list. The task force members (individuals and agencies) were listed as well as their activities such as examining approaches in other states. The task force report discussed bacteria fate and transport models, bacteria source tracking (BST), and research and development needs. The task force also recommended a three tier approach which Mr. Sullivan presented and placed into the context of the Atascosa River TMDL. He concluded this portion of the presentations with a web address where interested parties could find out more information on TMDLs:

<http://twri.tamu.edu/bacteriatmdl/> .

### **Project Status**

Dr. Hauck presented the status of the Atascosa River TMDL project beginning with milestones already achieved and a summary of the recent monitoring that was completed in 2006 and early 2007. He showed several photographs of sampling sites during high and low flows. He concluded with a discussion of the remaining steps in the bacteria TMDL process including continuing public meetings, development of a load duration curve, writing a draft TMDL document, approval of a final TMDL and developing an I-Plan.

### **Technical and Financial Assistance for Cattlemen: Implementing Best Management Practices (BMPs)**

Aaron Wendt explained that role of TSSWCB in the Atascosa River watershed is to provide assistance to reduce water pollution from agricultural nonpoint pollution in junction with other agencies. The TSSWCB also partners to implement BMPs with participating farmers and ranchers. Activities of the TSSWCB relevant to the watershed include:

- 1) Sponsoring a project with Cooperative Extension to determine effects of grazing management.
- 2) Developing site-specific, voluntary Water Quality Management Plans (WQMP) based on Natural Resources Conservation Service (NRCS) standards that represent best available technologies. The TSSWCB provides assistance to write the WQMPs.
- 3) In cooperation with NRCS (who has access to cost-share money through the Environmental Quality Incentives Program or EQIP), the TSSWCB helps acquire funds for distribution in the Atascosa watershed for water quality improvement projects.

Mr. Wendt said the TSSWCB and NRCS had an excess of cost-share funds the last two years due to few applications submitted by farmers and ranchers. Additional EQIP funding is expected for the next 2 years to provide technical and financial assistance.

### **Future Activities**

Mr. Sullivan closed the meeting stating that data would be put together to initiate a draft TMDL and I-Plan. He projected that the next public meeting would occur in the winter or spring and that the details of the upcoming meeting would be communicated at a later date. He pointed to the contact information in the provided handouts. The meeting concluded at 8:40pm.

### **Questions during Presentations**

Q: Why weren't samples and readings made above the wastewater treatment plant in Pleasanton during the assessment surveys?

A: Often there is no flow and water in the Atascosa above the facility making routine monitoring most difficult, and the hydrology is also more variable above these facilities.

Q. Portions of the Atascosa River are not a flowing river. Why is the river designated for contact recreational use when there is only water present during storms? There are only pools of leftover water immediately following storms and then they dry up.

A. Present Texas water quality standards specify that with rare exceptions all creeks and rivers have a designated use of contact recreation. Texas is presently re-evaluating its water quality standards for recreation use, but the process could take a long time to resolve, and there is a need to move forward because the elevated bacteria issue has persisted for several years.

Q. Why was there such a dramatic increase from 2004 to 2006 in the number of 303(d) listings for bacteria impairments?

A. Increased amounts of data are becoming available for more and more Texas streams, including small tributaries that comprise some of the increase in listing.

Q: Regarding the recent Texas Institute for Applied Environmental Research monitoring in 2006 and early 2007, are results influenced by drought conditions?

A: Yes, hydrologic conditions influence results.

Q: Has there been any monitoring performed by TIAER in 2007 during these high flows?

A: No, project funding for monitoring was not available during the 2007 rainy period so intensive monitoring did not occur. However, routine monitoring by the Nueces River Authority did occur during 2007.

Q: Won't water quality data be skewed if it reflects only drought conditions?

A: Yes, data will be skewed, if it reflects only drought conditions. However, the TMDL will be developed using all available data, which does include some wetter periods such as the year 2002.

Q: When will TIAER resume sampling the northern sites?

A: There are no immediate plans for TIAER to continue monitoring for purposes of TMDL development, and we will move forward with the available data. Routine monitoring will continue to occur by the Nueces River Authority.

Q: Is there a plan to publicize EQIP funding availability?

A: NRCS had two publicized meetings in the past and only a couple of people attended. An issue is that many landowners do not want to fence off their grazing cattle from the river.

Q: Does anyone have monitoring sites in places without flowing water?

A: No, present monitoring programs are geared for efficiency to locations where there is a high probability of flow so that trips for sampling are not made without being able to collect a sample.

Q: Can there be a study to handle our situation where the river is basically a drainage ditch.

A: The iterative approach within the TMDL and I-Plan process may enable us to return to the watershed and cover those things we didn't account for the first time.