

Elm Creek and Sandies Creek TMDL Public Meeting

FINAL DRAFT Meeting Summary – December 04, 2003

Attendees:

Debbie Magin, Kelly Ruble, Leo Semper, Glenn Rea, Barry Halvorson, Donald Albrecht, Edward L. Keseling, Edward A. Bowle, and Ray Villarreal

Also present was TCEQ Project Manger Andrew Sullivan, Earlene Lambeth, Karen Goelkel, and Facilitator Tara Drissell and TCEQ contracted staff representing Conrad Blucher Institute for Surveying and Science (CBI) – Mark Beaman, and Victor Palma

CALL TO ORDER/WELCOME/INTRODUCTIONS:

Tara Drissell (TCEQ) opened the first public meeting to provide information on the Elm Creek and Sandies Creek TMDL project and to thank the Cuero State Bank for the use of their meeting room. Introductions were made, handouts distributed, and the evenings' agenda was reviewed.

The purpose of the meeting was to inform the public and potential stakeholders on the status of work that was being performed under a Total Maximum Daily Load (TMDL) project for Elm Creek and Sandies Creek as required under the 1972 federal Clean Water Act. The evenings' meetings agenda included presentations on the TMDL program and process, history and development of the project, the 305(b) and 303 (d) listing processes, and an opportunity to provide input from the public on the project.

Public participation is very important and ensures that state government considers local perspectives in its decisions. The Elm and Sandies Creek(s) project will be a joint effort among the state and local stakeholders.

Basic ground rules were established for the first informal meeting of the Elm and Sandies Creek(s) stakeholders. The following ground rules were set up:

Everyone's ideas are important--share the time.

Stick to the topic. Tonight's agenda is the Atascosa TMDL Project. If you have comments related to topics other than this project, please hold them until after the meeting.

Be candid but courteous.

Address all comments to the group at large.

PROJECT OVERVIEW

Mr. Andrew Sullivan, the TMDL Project Manager at the TCEQ, focused the discussion on the work that has been done on the Elm and Sandies Creek(s) for a little over a year. Mr. Sullivan began with an introduction to the TMDL process. He explained the goal of a TMDL is to determine the amount (or load) of a pollutant that a body of water can

receive and still support its designated uses, such as recreation or support of aquatic life. The load is then allocated among all the potential sources of pollution within the watershed, and measures to reduce pollutant loads are developed as necessary. The whole watershed can be addressed considering known point sources such as from industries and domestic wastewater treatment plants. In addition, nonpoint sources (i.e. agricultural and urban runoff) are also considered and factored into the TMDL.

Mr. Sullivan continued explaining the history of the Elm and Sandies Creek project and how established water quality standards are set by the TCEQ and approved by the Environmental Protection Agency (EPA) for these Creek's. Mr. Sullivan reported that under the designated uses involved in this TMDL project are high aquatic life use and contact recreation use such as wading or swimming. Contact recreation use is measured with fecal coliform \ E. coli Bacteria (typically used as an indicator of the presence of other disease causing organisms). He explained that aquatic life use has different levels of standards such as high, intermediate, or limited, whereas recreational uses consist of a single level. For aquatic life use, dissolved oxygen criteria are used, which is basically a measure of oxygen in the water upon which aquatic animals use for survival.

Mr. Sullivan also explained how the 303(d) List identifies water bodies that do not meet, or are not expected to meet, applicable water quality standards. The list has a schedule showing when TMDLs will be developed for impaired waters. The EPA approves the 303(d) list and the list is compiled every two years. The listing of Elm and Sandies Creek(s) originally occurred in 2000 and will continue until sufficient 24-hour measurements are available to demonstrate support or nonsupport of the criterion.

Mr. Sullivan explained that water quality impairments had been identified in the lower 25 miles of Sandies Creek (the area located below Elm Creek which is classified as Segment 1803B) and that the creek was not meeting the standard for aquatic life use due to depressed dissolved oxygen levels as well as the recreation use due to elevated levels of fecal coliform \ E. coli Bacteria. Elm Creek (Segment 1803A) was also not meeting the criteria set for contact recreation use for fecal coliform \ E. coli Bacteria and aquatic life use due to depressed dissolved oxygen concentrations. Mr. Sullivan went on to explain that the fecal coliform \ E. coli Bacteria is generally not disease causing in and of themselves but indicate the presence of other organisms that could cause disease found in the impairment areas.

Mr. Sullivan went on to say that the historical data had been compiled for the impaired segments of Sandies and Elm Creeks and that additional data is being collected to verify the existence of the observed impairment(s). He reported that a Quality Assurance Project Plan (QAPP) had been developed as well as a Monitoring Plan for both of the creeks in the project. Mr. Sullivan said that TCEQ was about a year into the Monitoring Plan and would continue until August 2004. After the additional monitoring is complete a summary of the results of the data collected is expected to be available in the fall of 2004. At that time a determination would be made to develop a TMDL or take other appropriate action to address the impairment(s).

No sources are being identified at this point in the project, however, if there is a determination that the creek(s) are not meeting the uses, another phase of the project will be to look at point and nonpoint sources. At this time the project is concentrating on collecting physical, chemical and biological data. Several sites have been selected along the creek(s) that are representative of the watershed and being monitored against the uses criteria (4 sites on Sandies Creek and 2 stations on Elm Creek). Flow on the creeks' is also a consideration.

There are three potential outcomes of the work being performed for Elm and Sandies Creeks' - a possible de-listing from the 303(d) list due to meeting the uses, a determination that the standards need to be changed through an intensive Use Attainability Analysis (UAA) or a TMDL. A UAA would mean possibly changing the use and criteria as mentioned in the beginning of this summary from high to a lower level.

The final potential outcome of the study would be a full and complex TMDL. These are items still to be determined and reported in the outcome of the study report in the fall of 2004.

Potential stakeholders will be kept informed, data will be available through the TCEQ web site, and another meeting will be held to discuss the results of the monitoring data.