

Leon River Bacteria  
Total Maximum Daily Load (TMDL)  
Meeting – 10-10-07  
Hamilton, Texas

**Stakeholders Present:**

Aaron	Wendt	TSSWCB
Bill	Flannery	City of Comanche
Commissioner Dickie	Clary	Hamilton County Commissioner
Frank	Sprague	Hamilton County Farm Bureau
Commissioner Richard	Cortese	Bell County Commissioner
Fred	Weaver	City of Gatesville
Hall	DeBusk	Hamilton-Coryell Soil and Water Conservation District
Jay	Bragg	Brazos River Authority (BRA)
Jennifer	Bronson	Texas Parks & Wildlife Department
John	Cowan	Texas Association of Dairymen (TAD)
Norman	Mullin	Enviro-Ag Engineering
Richard	Eyster, P.G.	Texas Department of Agriculture
Ronnie	Harris	City of Hamilton
Rusty	Harris	Hamilton County Farm Bureau
* Cory	James	City of Dublin
* Daren	Harmel	USDA-NRCS
* Whit H	Weems	Texas Cooperative Extension - Comanche County
Representative Sid	Miller	Texas House of Representatives - District 59

\*Alternate Representative

**Stakeholders Absent:**

Bruce	Butscher	City of Temple
Clarence	Richardson	Agriculture Research Service
David	DeJong	Texas Association of Dairymen (TAD)
Genell	Stuteville	City of Gustine
Judge Randy	Mills	Hamilton County Judge
Royce	Lubke	Cattle Rancher
Tom	Gerik	Texas Agricultural Extension Service

**Other Attendees:**

Carrol & Deloris	Seago	Land Owner
Carson	Loving	Dairy Industry
David	Gregory	NRCS
David	Bohac	Texas Farm Bureau
Don	Brandenberger	TSSWCB
Donna & Joe	Riley	Rose Hill Dairy
Doug & Marti	Ischy	Agriculture
Frank	Volleman	Wildcat Dairy
Gerald	Burns	Comanche National Bank
Hector	Martinez	Texas Land Bank
Jack	Wall	Coryell County
James	Lester	
Mayor James A	Seigars	City of Dublin
Jason	Skaggs	Texas & SW Cattle Raisers Association

Jerry	Morgan	De Leon Free Press
John	Luker	
John	Foster	TX State Soil & Water Conservation Board
Judge John	Firth	Coryell County Judge
Juanita	Anders	
Kim	Lively	NRCS
Lance	Teten	Farm Owner
Linda	Rippetoe	
Loren	Henley	TX State Soil & Water Conservation Board
Maggie	Ross	
Marcel	Volleman	Sundance Dairy
Marcel	Dulay	Parson's Engineering
Mary	Clemons	
Mel	Vargas	Parson's Engineering
Mitch	Conine	TX State Soil & Water Conservation Board
Mitchell	Walker	
Nancy	Staudt	Texas Land Bank
Ned	Meister	Texas Farm Bureau
Pamela	Casebolt	TX State Soil & Water Conservation Board
Richard	Keubrik	
Robert	Ozment	TCEQ - Region 9 (WACO)
Roy	Newsom	Land Owner
Steve	Jones	TSSWCB
T.J.	Helton	Texas State Soil and Water Conservation Board
Tommy	Elliott	Beef Farmer

**TCEQ Project and Contract Staff:**

Kerry	Niemann
Clyde	Bohmfolk
Earlene	Lambeth

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## Stakeholder Meeting Agenda

SPONSORED BY THE  
**Texas Commission on Environmental Quality**  
REGARDING  
**Leon River Bacteria**  
**Total Maximum Daily Load (TMDL) Project**

**October 10, 2007**  
**Lee Conference Center**  
**114 East Main Street**  
**Hamilton, TX**  
**1:30 PM – 3:30 PM**

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The purpose of the meeting is to inform the stakeholders of the status of work for a TMDL Project on the Leon River and to provide an opportunity for input. Because of time limits, this meeting is about the Leon River Bacteria TMDL Project work only. If other issues arise, we will see that they are passed along to the appropriate individual(s). (Time Allotments Are Approximate)

### Preliminary Steps

Welcome/Meeting Logistics	(1:30 – 1:35)
Introduction of Participants	(1:35 – 1:45)
Meeting Purpose and Ground Rules	(1:45 – 1:55)

### Discussion of TMDL

Bacteria Task Force Report	(1:55 – 2:10)
TMDL Report for Public Comment	(2:10 – 2:30)
Adaptive Implementation/Management	(2:30 – 3:00)

### Next Steps

Approval/Adoption and TSSWCB Sponsored Projects	(3:00 – 3:30)
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*Adjourn*

Earlene Lambeth opened the meeting with a thank you to the Texas Land Bank for providing refreshments for the stakeholders. Self introductions were made. There was a very good turn out and the TCEQ expressed their appreciation for input into the TMDL bacteria project for the Leon River. Kerry then took role for stakeholder group attendance.

Kerry began with his presentation which can be found at the following web page:

<http://www.tceq.state.tx.us/assets/public/implementation/water/tmdl/341eon/34-leon-oct07pres.pdf>

Kerry reported that the final draft of the TMDL Leon River modeling report was posted and available on line. He said that a lot of the issues/concerns worked through during technical modeling meetings have been addressed and incorporated into the report. Kerry presented a brief overview of the bacteria project. He explained what had been going on with the project that included a Bacteria Task Force Report released in June 2007. The task force final report can be found on-line at <http://twri.tamu.edu/bacteriatmdl>. Items to be addressed during the meeting included water quality standards, OSSFs (on-site sewage facilities) wildlife, and additional segments.

Mel Vargas with Parsons Engineering reported that he had attended two meetings that were held in Austin concerning water quality standards, largely discussing contact recreation and items that the Leon River stakeholders were addressing. He said that there was in-depth and diverse discussion about the need or desire for changing contact recreation use across the state. He felt there was a strong desire and need to have "contact recreational use" better defined. It is a start but will be a long arduous process that will be presented to the EPA for final consideration.

Kerry explained briefly what a TMDL is and the various components that make up the TMDL. Kerry reported that the Leon River model identifies failing OSSFs (septic systems) as a potential source of bacteria. He said that the failure rate for this area of the state was 8%. He said that according to the model, if you took 8% of the OSSFs within the impaired riparian corridor (300 ft. (150 ft. on each side from center of stream)), four (4) would be failing. Kerry admitted that a failing OSSF is often hard to find, and that this could be researched further during development of implementation.

Kerry talked about wildlife in the watershed. He explained why wildlife could not be taken off the top of the existing load. Discussion about exotics, specifically feral hogs continued. TCEQ has to factor in the existing load to determine the load allocation. Stakeholders are accountable for non-wildlife sources.

Kerry said that Richard Eyster with the TDA had reported earlier that TDA was doing some feral hog work with traps. Kerry asked if Richard could find out if Leon could also be used as a pilot, like Peach Creek, for trap testing and other research. Richard said he thought it would be at least a couple of years before results could be used.

Kerry's presentation included point sources (wastewater treatment facilities) that included the cities of Gustine, Dublin, and Comanche. He stated that permits are expected to someday in the near future have *E coli*. monitoring requirements. This could serve as another form of regulatory compliance and regulation during implementation.

The most current version of the 303(d) list should be approved by the EPA in the near future. Samples now suggest there are 4 additional segments in the watershed to consider which include: Resley Creek, South Leon River, Indian Creek, and Walnut Creek. Some options include presenting a TMDL for those segments and incorporating specific reductions into Implementation, or "off-ramp" (Category 4b list) the segments since other activities are underway in the watershed to address contact recreation. The former option is a justification process with similar categories and separate end-points resulting in 5 TMDLs rather than 1 (Leon River) proposed for adoption and approval. The TCEQ will perform an exercise to determine additional endpoints, percent reductions, and allocations of these Category 5c Segments.

Stakeholders voiced several concerns and options with a great deal of discussion on feral hogs, Bacterial Source Tracking, swine, and avian loads.

Clyde Bohmfalk said that the folks that work on the standards at the agency have a group of stakeholders that meet and the rural and agricultural areas of the state are well represented. Clyde pointed out that whether it is a concrete lined ditch in Houston or a slow moving stream in central Texas – the standard is the same. There is a long process and proposals are going to be made to the Commissioners and EPA - but all stakeholders' input is encouraged. As part of the standards revision process, definitions are needed; contact-non-contact, etc. are being looked into. Mel Vargas commented that if the "secondary contact" measure could be used in the Leon watershed instead of "contact" defined as it is now, he believed all but one segment in the Leon would meet that water quality standard. He also commented that basically what the EPA's is saying is that in order to protect human health, there is not enough scientific information available in the form of epidemiology studies, to say that human health risk goes down if the criteria in the stream is predominately non-human. Everyone is struggling with the standard.

Another comment was that we are not here for the easy way out. What is difficult and hard, is for these farmers and ranchers, diaries to be put out of business and not be economically able to continue to exist with their heritage or their families in this watershed. "I don't care if there are only a few or couple of watersheds in the state that have this designation – I would like to see the state of Texas to actively pursue, with all the human and financial resources that the designation of this watershed as a non-contact watershed. It is a non-contact watershed, you don't have people in this river sun bathing or swimming or doing any water sports. It just doesn't go on. About the only thing that goes on in this watershed is graveling for catfish and that is already illegal. Simply change the designation. At the last meeting, you can take a consensus among this group, but I thought the message we sent back with the TCEQ is to strive to change that designation to a non-contact designation."

Kerry reported that the next steps in the process are to finalize the draft TMDL report, release the Draft TMDL report for public comments; address public comments, and then release the report for adoption by the Commission. After EPA approval the next step would be to draft an implementation plan. Kerry also stressed that there are several forms of implementation currently under way and that it would better to continue to be proactive.

Aaron Wendt with the TSSWCB was the next on the agenda. Aaron briefly spoke on the TSSWCB and what they can do to assist land owners in the watershed. He spoke on 7 various projects that are being funded through the TSSWCB and grants.

Jay Bragg with the Brazos River Authority spoke about assisting in the formation of a Leon River Watershed Protection Plan committee. Information was distributed. Jay can be contacted at (254) 761-3135 or [jbragg@brazos.org](mailto:jbragg@brazos.org).

The meeting was adjourned.