

**Response to Public Comment**  
**Fifteen Total Maximum Daily Loads for Indicator Bacteria**  
**in Watersheds Upstream of Lake Houston**  
**(Segments 1004E, 1008, 1008H, 1009, 1009C, 1009D, 109E, 1010, and 1011)**

<b>Tracking Number</b>	<b>Date Received</b>	<b>Affiliation of Commenter</b>	<b>Summary of Request or Comment</b>	<b>Summary of TCEQ Action or Explanation</b>
001-01	12/20/10 (via fax)	San Jacinto River Authority	The commenter indicated that the Total Maximum Daily Load (TMDL) allocations do not include all segments within the watershed that have been identified as impaired for bacteria on the 303(d) list. They anticipate that implementation measures to reduce bacteria loadings in the segments specified in the TMDL will result in a financial impact to the utility ratepayers and other citizens in those watersheds. They recommend that this TMDL should include all segments identified on the 303(d) list so that any costs of implementation are fairly and equitably shared by all within the watershed.	When the TMDL allocations for this project were being developed, water bodies that appeared on the 2006 303(d) list were considered for inclusion in the project. At that time, the Texas Commission on Environmental Quality (TCEQ) had proposed a change to the criterion used to assess the contact recreation use of most freshwater bodies in the state. Had it been implemented, that would have led to a geometric mean criterion for <i>E. coli</i> of 206 most probable number (MPN) per 100 milliliter (mL), rather than 126 MPN/100 mL. While that was being considered, bacteria TMDLs for assessment units/segments with geometric means between 126 and 206 MPN/100 mL in various parts of the state were put on hold, but TMDL projects in assessment units with geometric means over 206 MPN/100 mL continued. In 2010, the TCEQ decided to maintain the 126 MPN/100 mL <i>E. coli</i> criterion for primary contact recreation. This, in combination with new data assessed in 2010, results in 14 additional assessment units for which TMDL allocations need to be developed in the Lake Houston watershed. Future work will be conducted to determine TMDL allocations for bacteria for these assessment units. For assessment units within the watersheds of existing TMDLs, this will be done as part of the Water Quality Management Plan process. For implementation purposes, these assessment units are being included in the area-wide implementation plan being developed by the Bacteria Implementation Group. For assessment units that do not fall within existing TMDL watersheds, a new TMDL document and new Implementation Plan will need to be developed. No changes have been made to the TMDL document based on this comment.

Tracking Number	Date Received	Affiliation of Commenter	Summary of Request or Comment	Summary of TCEQ Action or Explanation
001-02	12/20/10 (cont.)	San Jacinto River Authority (cont.)	<p>The commenter cites two tables (6 and 16) in the TMDL document that include references to (and bacteria allocations for permitted wastewater dischargers in) Segment 1008C (Lower Panther Branch). This segment is not a part of the TMDL, but is a tributary to Segment 1008 (Spring Creek), which is impaired and is part of the TMDL. They noted that Figure 1, which shows the project watershed, does not appear to include the Panther Branch watershed, suggesting that this area was not a part of the TMDL study, and that the segment and its associated permitted wastewater dischargers should not be designated with waste load allocations.</p>	<p>The map portrayed in Figure 1 of the draft TMDL document inadvertently left out the Panther Branch subwatershed and cut off the upper portions of several small tributaries in the northwestern part of the Spring Creek watershed. This error went unnoticed until after the draft TMDL document was released for public comment, and has been corrected for inclusion in the final document. The entire Spring Creek watershed – including Panther Branch – was used in the analyses and calculations conducted for the TMDL. This is reflected in the other maps in this document and the technical support document upon which it is based. As an example, see Figure 4 of the TMDL document.</p> <p>The TCEQ takes a watershed approach to TMDL studies. This involves looking at potential pollution sources discharging to tributaries to the impaired segments, and not just the impaired segments themselves. Again using Figure 4 as an example, most of the wastewater dischargers discharge to tributaries of the listed segments, including Lower Panther Branch and others. Five of the additional impaired assessment units discussed in the response to the preceding comment are found in the Panther Branch subwatershed. No changes have been made to the TMDL document based on this comment.</p>