

Response to Public Comment
TMDLs for Sulfate and TDS in the EV Spence Reservoir - Implementation Plan
 July 20, 2001

Tracking Number	Date Recd.	Affiliation of Commenter	Summary of Request or Comment	Summary of TNRCC Action or Explanation
001	05/31/01 (Letter) 06/19/01 (Verbal)	Colorado River Municipal Water District (the District)	The additional releases BMP may impact downstream segments.	The Commission considers the water quality of all segments in its assessment of water bodies in the state. Impairments in the downstream segment below E.V. Spence Reservoir, Segment 1426, are being addressed in a parallel TMDL project that is currently ongoing. If modifications to the E.V. Spence Implementation Plan are necessary, the Commission will pursue such modifications as provided for within the plan.
			The District stated it may not implement the additional releases BMP if the amount of water in the E.V. Spence Reservoir needs to be preserved.	The Commission recognizes that in certain low-flow conditions, additional releases may compromise the District's ability to provide water to its members. The Commission encourages the District to pursue implementation of this measure as impoundment in the reservoir allows. No changes to the Implementation Plan were made based upon these comments.
			Table 4 should include an evaluation within each Phase to determine if further work is needed to meet the standards.	The Commission agrees with the commenter and has made the recommended changes.
			Table 4 should include as a phased event the reevaluation of chloride and TDS standards.	The Commission agrees with the commenter and has made the recommended changes.
			Table 4 should list releases and diversions as separate management measures.	The Commission agrees with the commenter and has made the recommended changes.
			The statement on page 24 that the Remediation Division is conducting a preliminary site assessment of the reservoir is incorrect.	The sentence has been deleted.
			The Concho Water Snake is listed as threatened, not endangered, by the USFWS.	The reference to the status of the Concho Water Snake has been corrected.
			Reorganize the paragraphs on page 27 regarding Water Quality Diversions and Reservoir Management for clarification.	The Commission agrees with the commenter and has clarified the text.

Tracking Number	Date Recd.	Affiliation of Commenter	Summary of Request or Comment	Summary of TNRCC Action or Explanation
			Clarification is needed on the role of the District as a subcontractor in the Clean Rivers Program. The District states it is only obligated to perform tasks described within a valid contract.	The Commission agrees with the commenter and has clarified the text.
			Clarification is needed on the role of the District in weather modification. The District will discontinue the program if it is unable to renew its license or permit, or if partial funding from TNRCC becomes unavailable.	<p>The Commission recognizes that the District's participation in the weather modification program is dependent upon permit approval and adequate funding. The Commission encourages the District to maintain the program as long as it is able to renew its license or permit and as long as it is economically feasible to continue the effort. Note that the 77th Texas Legislature has transferred regulatory authority of the weather modification program from TNRCC to the Texas Department of Licensing and Regulation.</p> <p>No changes to the Implementation Plan were made based upon this comment.</p>
002	06/19/01 (letter)	Texas Parks & Wildlife Department (TPWD)	TPWD will oppose any efforts to raise the water quality criteria for sulfate and total dissolved solids.	<p>The Commission will consider the appropriateness of criteria for E.V. Spence Reservoir in its next routine triennial standards review. Any changes that may be proposed during that review will be subject to a public comment period and additional comments will be welcome at that time.</p> <p>No changes to the Implementation Plan were made based upon this comment.</p>
			TPWD recommends that it be closely consulted in the preparation of brush control plans to ensure that wildlife and wildlife habitats are protected	<p>The partnering agency that will lead brush control efforts is the Texas State Soil and Water Conservation Board (TSSWCB). TSSWCB plans to consult with TPWD prior to initiating a brush control program.</p> <p>No changes to the Implementation Plan were made based upon this comment.</p>
			TPWD recommends that it be closely consulted regarding the impact of any changes to water diversions on instream flows in the Colorado River.	The Commission welcomes participation by TPWD through the TNRCC water rights permitting process. An additional diversion would require an amendment to the existing permit and would be subject to a public comment period.

Tracking Number	Date Recd.	Affiliation of Commenter	Summary of Request or Comment	Summary of TNRCC Action or Explanation
			<p>TPWD is concerned about the consequences of downstream water quality in relation to increasing reservoir releases.</p>	<p>The Commission considers the water quality of all segments in its assessment of water bodies in the state. Impairments in the downstream segment below E.V. Spence Reservoir, Segment 1426, are being addressed in a parallel TMDL project that is currently ongoing. If modifications to the E.V. Spence Implementation Plan are necessary, the Commission will pursue such modifications as provided for within the plan.</p> <p>No changes to the Implementation Plan were made based upon this comment.</p>
			<p>TPWD recommends that the proposed biannual sampling at the three stations on the reservoir be replaced with a monthly monitoring frequency.</p>	<p>The Commission considers the resulting water quality improvement associated with the implementation measures included within the plan to be achieved over many years. Therefore, the Commission believes that biannual monitoring is an appropriate frequency to monitor the expected variability.</p> <p>No changes to the Implementation Plan were made based upon this comment.</p>
			<p>TPWD encourages TNRCC to continue trying to identify and control sources of human-induced salt loading in the E.V. Spence watershed during implementation.</p>	<p>The Commission has included steps in the Implementation Plan to reevaluate both the management measures identified in the plan as well as the sources identified in the TMDL.</p> <p>No changes to the Implementation Plan were made based upon this comment.</p>
003	06/25/01 (letter)	Lower Colorado River Authority (LCRA)	<p>LCRA supports the comprehensive approach to the TMDL management measures. Particularly, LCRA supports measures targeting loading from the oil and gas industry.</p>	<p>The commission appreciates the commenter's support of the TMDL Implementation Plan.</p> <p>No changes to the Implementation Plan were made based upon this comment.</p>
			<p>LCRA recommends specifically identifying in the implementation plan the ongoing role of the EV Spence Watershed Steering Committee. LCRA recommends that the Committee remain an active part of the implementation process with responsibility for identifying possible funding sources for the management measures, reviewing the outcomes of each phase of the schedule and modifying where necessary, and evaluating water quality data collected in the watershed through the Clean Rivers Program.</p>	<p>The Commission encourages the active participation of all E.V. Spence Watershed Steering Committee participants during the implementation phase. The Commission will be available to provide updates on the progress of implementation but will not be able to provide funding to maintain the ongoing status of the committee.</p> <p>No changes to the Implementation Plan were made based upon this comment.</p>