

**Response to Public Comment on  
Implementation Plan for Two Total Maximum Daily Loads for Dissolved Oxygen and One  
Total Maximum Daily Load for Bacteria in Upper Oyster Creek  
(Segment 1245)  
December 20, 2013**

Tracking Number	Date Received	Affiliation of Commenter	Request or Comment	Summary of TCEQ Action or Explanation
001_01	10/2/2013	Texas Department of Transportation (TxDOT)  (written – e-mail)	TxDOT comments that the implementation scheduling statement on page 39 for IA 9.2, regarding pigeon exclusion devices to be installed, is misleading. At this time, TxDOT does not plan to install avian deterrent devices on any existing and future bridges. Research conducted by TxDOT determined that only active avian deterrents were effective in keeping birds from roosting on some TxDOT bridges. These active avian deterrent devices are very expensive and require the use of electricity to run them at all times. At rural bridge locations, where electricity is not available, these types of devices are not feasible. Additionally, further research is still needed to determine if these types of active deterrent devices will affect bystanders that may be using the nearby facilities, such as hike & bike trails, adjacent to the bridge.	The TCEQ appreciates the comment. During the development of Implementation Activities (IA) for the draft Implementation Plan (I-Plan), TxDOT provided useful information regarding birds and bats residing in bridges. This comment includes updated information based on research that was ongoing during the development of the draft I-Plan.  In response to the comment, the I-Plan was revised to indicate that TxDOT infrastructure will not be considered for implementation sites for avian deterrent devices. See sections 9.1, 9.2 and 9.4, as well as Table E.1.