

TMDL

This section is dedicated to TMDL activities which includes the following summary as well as copies of the technical reports, stakeholder rosters, meeting agendas and reports, links to related programs and agencies, and staff contact information in the sub-sections below.

A SUMMARY OF PUBLIC PARTICIPATION ACTIVITIES FOR DIOXIN AND BACTERIA TOTAL MAXIMUM DAILY LOAD STUDIES IN THE SAN JACINTO RIVER BASIN (2000-2001)

The Clean Water Act Section 303(d) and EPA regulation (40 DFR 130.7) require that all states identify water bodies that do not meet, or are not expected to meet, applicable water quality standards for designated uses. These water bodies are compiled on a list, referred to as the 303(d) list. The state prioritizes water bodies on the list in order to schedule Total Maximum Daily Load (TMDL) development. A TMDL is a technical analysis that:

- Determines maximum loadings of a pollutant of concern that a water body can receive and still meet water quality standards; and
- Allocates this allowable loading to pollutant sources in the watershed both point and nonpoint.

Once a TMDL has been developed for the pollutant of concern, an implementation plan is developed that determines the control measures and management actions that must be conducted to improve water quality. The Houston-Galveston Area Council (H-GAC) is assisting the Texas Commission on Environmental Quality (TCEQ) with the public participation activities for several TMDL studies in the San Jacinto River Basin and associated Coastal Basins. All work is coordinated with the Clean Rivers Program.

The objective of conducting TMDL public participation activities is to gain local input and ensure that local perspectives are considered during TMDL development. H-GAC is addressing this through individual stakeholder groups for the Bacteria and Dioxin TMDL studies and coordination with the Texas Clean Rivers Program (CRP) Steering Committee and Technical Advisory Group (TAG), and the TCEQ.

TMDL Watersheds

The development of a Total Maximum Daily Load for a given pollutant is a component of watershed management that targets water bodies listed on the state's list of impaired waters (303(d) list). Some forty-seven (47) water bodies are on the Texas 303(d) list in the H-GAC 13-county region. H-GAC is currently working under a contract with the TCEQ to initiate and carry out public participation activities for two TMDL projects in the San Jacinto River Basin which include 16 water bodies.

The "Bacteria TMDL Project" is addressing bacteria levels that exceed the criterion established to assure the safety of contact recreation (like swimming) in Buffalo Bayou (water quality segments 1013 & 1014) and White Oak Bayou (1017). The "Dioxin TMDL Project" is addressing elevated concentrations of dioxin in catfish and blue crab tissue. This project includes Cedar Bayou Tidal (0901); San Jacinto River Tidal (1001); the Houston Ship Channel (1005, 1006 & 1007); Upper Galveston Bay (2421); Tabbs Bay (2426); San Jacinto Bay (2427); Black Duck Bay (2428); Scott Bay (2429); Burnet Bay (2430); Barbours Cut (2436); and Bayport Channel (2438).

TCEQ, as the responsible and funding agency, chose the University of Houston (UH) as the technical team to perform the studies for both the Bacteria and Dioxin TMDL projects. UH then subcontracted with consulting firms to assist in these studies. The Clean Rivers Program funded related studies to gather data in both TMDL study areas.

Public Participation

The focal point of public participation in the TMDL process was the creation of watershed stakeholder groups for the respective TMDL projects and the convening of a series of meetings over the project period to provide stakeholders with information and enhance local participation in decision-making.

The Public Participation Team (H-GAC and EIH) worked together to create as inclusive a stakeholder group as possible for each TMDL. The current stakeholder groups contain representatives of the regulated community, regulators, natural resource agencies, environmental groups, local governments, and interested citizens residing in the watersheds and individuals with specific expertise on the subject of the TMDL project. An initial "kickoff" meeting was held on May 3, 2000. Those people who were asked to participate on the two stakeholder groups were invited to the May 3rd meeting to learn how the TMDL process would be implemented. This included presentations by TCEQ staff on the background of TMDLs, the TCEQ's role as the responsible agency, and the charge to the stakeholders. Representatives from H-GAC, EIH and UH offered information on the studies' boundaries, the specific impairments of concern, introduction of the technical team and tasks, and the Clean Rivers Program which would be conducting related water quality assessment projects. The group discussed ground rules for future meetings and goals for the groups. These would be acted upon at the next meeting for each TMDL stakeholder group.

The stakeholders discussed future meetings and agreed that meetings should be held when there was technical information available for their review and comment. Following this decision, meetings were held as follows: January 16, 2001 (Dioxin); January 25, 2001 (Bacteria); March 1, 2001 (Dioxin); March 8, 2001 (Bacteria); and August 16, 2001 (Dioxin). Participation was documented through sign-in sheets and meeting summaries, which were submitted to TCEQ with quarterly progress reports. All during the process, individuals and/or groups were added to the stakeholder rosters as needed to maintain balanced representation of interests. In some cases individuals changed jobs or moved out of the area. New stakeholders were also identified and added.

In addition to the stakeholders identified and included on the rosters, members of the Clean Rivers Program Steering Committee and/or Technical Advisory Group were named to each TMDL group for the purpose of coordination. Also, Clean Rivers program staff (H-GAC) participated in the meetings and the review and comment on technical documents.

Presentations

Public participation team members and H-GAC Clean Rivers staff have been and will be making presentations on the TMDL projects and associated Clean Rivers projects to local governments and various organizations within the TMDL watersheds to ensure the broadest and most inclusive public participation possible. To date presentations have been made to the West Houston Association (Buffalo Bayou watershed) and Buffalo Bayou Partnership and are scheduled for the City of Jersey Village (White Oak Bayou watershed) and the Buffalo Bayou Preservation Association. Any group is welcome to contact Carl Masterson via e-mail at Carl.Masterson@h-gac.com or phone (713-993-4561) to schedule a presentation.

Public Participation and Technical Team Coordination

Coordination meetings were held throughout this process between members of the public participation and technical teams. At these meetings (in person, via e-mail and/or telephone) agendas were set and presentation materials identified (reports, charts, maps, etc.). Materials for the stakeholders to review were made available via e-mail, the H-GAC web site and hard copy, if requested. Materials were posted on the web site as they were made available. Public

Participation Team staff regularly communicated with each other regarding meeting materials changes in stakeholder rosters and to address any challenges that arose.

H-GAC Web Site

H-GAC will maintain current information in TMDL activities on their web page.

Challenges Faced

In the first two years of the Bacteria and Dioxin TMDL projects, the public participation team has identified three main challenges faced in realizing successful public participation. These challenges are not insurmountable but focus on the following issues will be required as these projects continue toward completion:

- *Timely information exchange between the technical team, responsible agency, public participation team and stakeholders.* There were times when technical reports were completed yet this information was not immediately available to the public participation team thus delaying availability to the stakeholders.
- *Maintaining stakeholder interest.* The period of time between technical information updates and therefore stakeholder meetings has been longer than anticipated and it has been a challenge to maintain stakeholder interest.
- *Maintaining stakeholder contact information.* With the number of changing individuals and organizations in the stakeholder groups, keeping up with contact information has been a challenge.

The public participation team will discuss these challenges with the responsible agency, technical team, and stakeholders to achieve timely resolution.