

**Arroyo Colorado  
Watershed Steering Committee  
Meeting Summary – December 2, 2004**

**Attending: 12-2-04 Meeting**

Laura De La Garza – Watershed Coordinator  
John Jacob – Texas Sea Grant & Texas Cooperative Extension  
Richard Eyster – TDA  
Ashley Almon – Citizen Volunteer  
DJ Davis – TECQ Region 15  
Michael Weeks – TPWD  
Kay Jenkins – TPWD  
Olivia Gomez – TPWD  
Ni-Bin Chang – TAMUK  
Javier Guerrero – TAMUK  
Francisco “Frank” Flores – City of Mission  
Sue Griffin – Mother Nature’s Creations  
Billy Snider – Mother Nature’s Creations  
Sylvia Waggoner – IBWC  
Rick Reyes – IBWC  
Andy Garza – TSSWCB  
Paul H. Bergh – LLMF, CSAC, CCA  
Darrell Gunn – HWWS  
Neil Haman – TWDB  
Butch Palmer – Port of Harlingen  
Wes Rosenthal – TAES, Temple  
Earlene Lambeth – TCEQ  
Roger Miranda – TCEQ  
Bill Berg – UTB  
Elizabeth Heise – UTB  
Clare Lee – USFWS  
Matt Lynch – Valley Morning Star  
Maggie Vela – Citizen Volunteer  
Antonio Rojas – TDA  
Don Hockaday – UT PanAm  
Jim Chapman – Sierra Club  
Kevin Wagner – TSSWCD  
Saul Garcia – State Rep. Aaron Pena, Jr. Office

**Call to Order/Welcome/Introductions**

Laura De La Garza opened the meeting of the Arroyo Colorado Watershed Steering Committee that was held at the City of Harlingen Public Library. She thanked Darrell Gunn with the Harlingen Waterworks System for providing the refreshments. Ms. De La Garza gave a brief history of the project explaining that the main reason we are drafting a watershed protection plan is to address the nutrient loading to the Arroyo Colorado, which is affecting the dissolved oxygen in the tidal segment of the Arroyo.

Ms. De La Garza thanked the attendees for their participation and requested that self-introductions be made. After the introductions, Ms. De La Garza announced an agenda change where the guest speaker, John Jacob, would present his work with the Armand Bayou Partnership at the beginning of the meeting instead of the end. Ms. De La Garza introduced Dr. John Jacob.

## **Presentation**

Dr. Jacob of Texas Sea Grant and Texas Cooperative Extension, presented the “Armand Bayou Watershed Partnership: History, Structure, and Function”. He described some similarities between the Armand Bayou (AB) watershed and the Arroyo Colorado watershed as being both slow moving coastal waterways with episodes of low dissolved oxygen which required a State TMDL study. With the TMDL study in abeyance for the AB watershed, a group of citizens chose to proceed and address the watershed issues.

Dr. Jacob described flooding as the number one perceived problem in the AB watershed with habitat protection being another big concern. The AB is one of the few unchannelized waterways with a significant amount of good habitat still not developed and that the only protected land is within the Armand Bayou Nature Center. The plan to protect habitat and the citizens against flooding are the main issues of the AB watershed action plan.

Dr. Jacob explained the stakeholder process of organizing the group and developing goals. They used techniques such as community learning, collaborative learning, and consensus building over several meetings to develop the goals of the group. They brainstormed and prioritized issues to come up with a Phase I plan, which is not a plan, but more like the “state of the watershed”. It was a collaborative effort, which they wrote together, recognizing that the Phase II plan would be more of a plan addressing the nine (9) watershed planning elements the EPA requires for funding.

The AB Partnership has a solid foundation because the stakeholder group focused on water quality and flooding and recognized their connection. The AB Partnership had people come in to facilitate the meetings. They built mental maps on how things flowed in the environment and within the community. They imagined a strong partnership between people/information flows and the developer industry. Dr. Jacob stated that the Texas Parks and Wildlife Department and the Harris County Flood Control District-Engineering strongly participated in the effort.

A big issue in the Armand Bayou is that the channel is underfit (not stable due to increase in average flow). The traditional way to address the problem is to channelize the stream, however habitat protection is an issue. The group realized that there was a way to work together by widening the floodplain and allowing it to meander. Dr. Jacob reminded the group that the power lies in recognizing that people with opposing views can come together to address both their needs and come up with a win/win solution. This solution often comes with some compromise on both parts.

Dr. Jacob then discussed the working structure of the AB Partnership. The documents included in Appendix A summarize the history, structure, and function of the partnership. He explained the bicameral nature of the group with the Steering Committee being a smaller well defined group with closed meetings and the Watershed Partnership (subcommittees) larger, with meetings open to all interested parties. The documents in Appendix A explain the decision-making process. In the Armand Bayou group, the Watershed Coordinator operates in the background. The chairperson is one of the citizens who is part of the community. Dr. Jacob explained the importance of having a neutral facilitator in instances where there is an impasse in the decision making process. He also recommended that our Arroyo Group seek a chairperson for the group which would allow the Arroyo Colorado Watershed Coordinator to be more of a facilitator.

**Comment [T1]:** Laura, I do not recall seeing any handouts. Perhaps these documents should be included in an Appendix.

Dr. Jacob ended this portion of the meeting stating that the Armand Bayou Watershed Partnership has completed Phase I of their watershed plan and that it is currently being formatted. It will then be printed and also made available on their website, [www.urban-nature.org](http://www.urban-nature.org).

### **Discussion/New Business**

Dr. Jacob opened the meeting to questions. Roger Miranda stated that there were many differences between AB and the Arroyo and the main difference is in the structure of the AB Partnership and the Arroyo Steering Committee and Sub-Committee. The Arroyo group is bound by HB 2912 and that structure cannot be changed. Earlene Lambeth reminded us that we are limited to 24 voting members that are official advisors to the TCEQ.

Ms. De La Garza passed out paper copies of the Arroyo Colorado Watershed Steering Committee Ground Rules and referred the group to page 9 of 10 which lists the 24 signing members. She informed the group that there are 5 vacancies and that there is a need to fill these positions. Ms. De La Garza stated that she would distribute information through the Arroyo Colorado listserv as an opportunity for stakeholders to respond and have input. She also suggested that a task group be formed to evaluate the existing list of official advisors and to recommend individuals for the vacancies.

Another point of new business that Ms. De La Garza brought up concerned the name of the Arroyo "group". Currently, we are called the Arroyo Colorado Watershed Steering Committee and Workgroup Members. She explained that we are still bigger than that and solicited possible names that better describe the group; as an example, the Arroyo

Management Team, the Arroyo Partnership, etc. There was no response from the meeting participants so Ms. De La Garza suggested that the group think about it.

Ms. De La Garza next shared some of her experiences from the EPA *Watershed Partnership Seminar* she recently attended in Colorado. She explained that most watershed plans have a land use component, that our Arroyo “group” is missing a segment of our community, i.e., developers, city planners, real estate investors, etc. With that said she asked for comments.

Dr. Jacob stated that the pattern of urban development is the number one impact on water quality. If the same pattern continues in the Armand Bayou watershed, 1,000 sq mi of habitat will be lost. The AB Partnership is looking for volunteer stewardship and that there is no regulatory muscle to encourage a denser, more pedestrian friendly mode of development that preserves habitat and open space. He explained that tools are available and it is extremely important to use the watershed plan as an opportunity to encourage better development patterns. Dr. Jacob acknowledged that we are blessed with the Lower Laguna Madre and the World Birding Centers which attract tourists and that we should promote eco-development to preserve these resources and that most of this work should be done with the local planning agencies. Ms. De La Garza explained that the watershed partnership in Colorado provides a Facilitator to work with the cities and developers in order to preserve water quality and that this process has been successful.

Paul Bergh suggested that we might have an opportunity to address land use issues in the O&E workgroup and that we should stick to the TMDL plan. Roger Miranda reminded us that we will still have the TMDL and that now the TCEQ is another stakeholder by availing Texas Sea Grant to facilitate the process. The TCEQ needs to ensure water quality standards are met but that other people are here for different reason such as flood control and quality of life. Mr. Miranda also stated that he like the idea of the bicameral committees. Mr. Bergh stated that he liked the idea of a land use workgroup but reminded us to keep in mind the TMDL and our commitment to the TCEQ. He also expressed a workload concern. Again, Roger stated that the Phase II TMDL study is proceeding, that water quality is part of the Arroyo Watershed Protection Plan, and that we cannot have a successful plan without the kind of participation that Dr. Jacob has been talking about or else the plan is just a piece of paper. There must be some indication that the plan will be implemented.

After a question from one of the participants, Mr. Miranda continued to explain that there are legal and regulatory implications associated with a TMDL, and with a watershed protection plan (WPP), those legal implications change. There are provisions in the regulations that require a WPP to have a TMDL or TMDL type of analysis to meet requirements of Section 303(d). Mr. Bergh asked if the AB was similar to the Arroyo in respect to the TMDL analysis. Dr. Jacob discussed the similarities with the Clear Creek Watershed, the similar regulatory constraints, and the bicameral structure of that group.

Ms. De La Garza again stated that a segment of the community is missing in this planning process and given the fact that the Valley is one of the fastest growing regions

in the nation, land use issue should be addressed. Frank Flores spoke from a utilities point of view. He stated that the utilities hold the permits for storm water discharges and that the majority of the impact is from the developments. Utilities can only go so far in protecting water quality because of the costs and those costs are picked-up by the rate payers. Mr. Flores stated that he supported bringing in other groups (the development community). Ms. De La Garza asked for a show of hands in favor of creating a Land Use Workgroup. A show of hands revealed complete support of starting a new group.

The meeting broke at 8:10 pm for refreshments and resumed at 8:20 pm with reports from the Arroyo Workgroups.

### **Reports and Issues from Workgroups**

The Habitat Work Group. Kay Jenkins began this session with a progress report from the Habitat Work Group. She stated that they met this afternoon and that Tom Wilson from the City of Harlingen (COH) Parks Department was a guest presenter. Mr. Wilson talked about the land owned by the COH, their ongoing efforts, and about potential sites to do demonstration projects, habitat restoration or constructed wetlands. Ms. Jenkins stated that the work group keeps improving the goals for the WPP and that she had distributed a draft scope of work for the feasibility study for review. Ms. Jenkins stated that the money for the project was not here yet, however it was expected in a couple of months. At this time, they were asking for request for qualifications from engineering firms for the feasibility study and that they were accepting comments on that. TPWD is requesting comments from workgroup members on the draft scope of work for the feasibility study that was passed out at the workgroup meeting.

Ms. De La Garza stated that the Outreach and Education (O&E) workgroup had expressed the need to expose more people to the Arroyo so at today's habitat meeting there was a discussion about the potential for giving people access to the Arroyo via kayaks. That the O&E group has been partnering with the Rensselaerville Institute based in McAllen, and that they had purchased 15 kayaks for outdoor education. The Habitat Work Group expressed enthusiasm about providing access with a potential put-in site at McKelvey Park and take-out at Hugh Ramsey Park.

The Agricultural Issues Work Group. Next Kevin Wagner, work group leader, presented an update on the Agricultural Issues Work Group. He stated that the group met on December 2 to discuss the watershed protection plan and that Dr. Ni-Bin Chang was a guest speaker who talked about edge-of-field monitoring and his current grant proposal for funds to better assess the Arroyo watershed. Mr. Wagner stated that they have a rough draft of their component of the plan and that they hoped to finalize Phase I by March for application for federal funding due in March. He stated that he hopes to schedule the next meeting for early February and that they will then work to refine the draft and that they have a pretty good idea of what needs to be done.

Ms. De La Garza stated that farmers are missing at the meetings and that there were discussions on how to better reach them. She asked Andy Garza if we had the right

people at the meetings and he stated that the right people are being invited but that there is need to get them to those meetings.

The Outreach and Education Work Group. Ms. De La Garza, work group leader, next gave an update on the work done in the O&E Work Group. With the goal of outreach and education, she stated that this work group has been identifying local groups and associations that are doing some form of water related O&E. She discussed working with the Lower Rio Grande Valley TPDES Storm Water Task Force and their work in addressing non-point source pollution issues. She also discussed her communications with the Valley Proud Environmental Council and that they wanted to promote the “You Dump It, You Drink It” campaign. Ms. De La Garza explained that these partnerships and joint work will be included in the plan.

Ms. De La Garza also stated that the O&E work group identified the need to target certain groups for the promotion of the Arroyo WPP and that many groups have been listed for future contact. The work group also identified the need to better understand the watershed community and what the community thinks about the Arroyo, with this, the work group drafted a grant proposal, the TCEQ accepted the proposal, and has committed funds. The next step is to put out a Request for Proposal in order to conduct a market survey to find out what Valley people think about the Arroyo and to promote the watershed planning effort.

Other outreach efforts include a presentation to the Region M Planning Group and other groups and the promotion of the Arroyo WPP at Coastal Expos. The Coastal Expos were good grounds to promote Arroyo awareness and proved to be a good networking opportunity. The Arroyo travel display was set up at both events along with an awareness survey. The survey was found not to be very effective however the watershed map appeared to get more interest, especially with the kids.

The TMDL Work Group. Roger Miranda stated that this workgroup has not met since its first meeting on July 23, 2004 because they have been working on a Quality Assurance Project Plan (QAPP). The TCEQ is heading this group but working with the USGS to collect data for the study. The TCEQ and the USGS have been working under a joint agreement to the tune of \$196,000 from State funds and \$152,000 from USGS contributions. The July, the Arroyo TMDL meeting was a joint meeting in Corpus Christi with UT Pan Am. The meeting was put on by researcher Hudson DeYoe who is interested in the health of the Laguna Madre. Dr. DeYoe felt the structure of the Arroyo Colorado could blend very well with what he is doing with the Laguna Madre.

Mr. Miranda explained that researchers will be commenting on the QAPP which should be completed this month. As soon as they review the QAPP and the TCEQ gets their comments another meeting will be scheduled. The comments will be incorporated into the plan and then they will go over some of the disagreements or debates as a result of those comments. Mr. Miranda stated that they hope to be monitoring as early as March of this year.

Wastewater Infrastructure Workgroup (WWI). The WWI is led by Roger Miranda of the TCEQ. This group met for the first time this morning at 10 am with a very impressive turn-out. Several major cities were represented including Harlingen, McAllen, Donna and Pharr. Discussed was the history of the project and the roles the WWI work group would have in the development of the Arroyo WPP. Mr. Miranda described the participants as being very enthusiastic and that during this morning's meeting, the goals and direction of the project were explained and discussed. Mr. Miranda explained that the WWI work group is bigger than just the facilities represented at the meeting and that another issue is the lack of wastewater infrastructure. He stated that the TMDL study identified loading from untreated wastewater to the Arroyo. This is different from reducing loading from existing facilities, but related, and at the next meeting there would be a concentration on the colonia issue.

Mr. Miranda explained that the next step would be face to face meetings with City Manager and the heads of the public utilities. Up until now the TCEQ had been looking at enforcement issues. The TCEQ conducted system reviews (looked at files and the self-reporting data) for each of the wastewater treatment plants (WWTPs). They also looked at the notices of violation with the goal of knowing as much as possible about each WWTP so that problems could be identified. Mr. Miranda stated that these system reviews were not shared at this morning's meeting because they plan to meet with individuals to give them an opportunity to review, correct, and identify omissions.

Mr. Miranda explained that the TCEQ has been going through an enforcement review process that he believes was mandated through the last legislative session or at the Sunset Review. Regardless, the TCEQ is mandated to take a hard look at their enforcement policies agency wide and for all groups. Mr. Miranda stated that concerning enforcement issues, it is hard to make a proposal for the Arroyo WWTPs until changes in enforcement policies have been established.

### **Meeting Closure**

Ms. De La Garza asked if there were any questions or comments. With no questions asked, Ms. De La Garza thanked Mr. Paul Bergh of Rio Radio for providing colored copies of the Arroyo Colorado TMDL watershed map.

Ms. De La Garza then asked for a show of hand to vote on the creation of a temporary task group to review the issue of a better name to describe the Arroyo "group", to review the TCEQ advisory board requirements, and to formalize the Steering Committee members. Paul Bergh, Don Hockaday, and Ashley Almon volunteered to be part of that task group.

The meeting ended with a drawing for the door prize. Kevin Wagner was the winner receiving the book "Birds of Texas" by John L. Tweten.

The meeting was adjourned at 9:00 pm.

