

Arroyo Colorado Steering Committee/Partnership Meeting

Texas A&M Kingsville, Citrus Center
Rio Red Classroom
312 N. International Blvd, Weslaco, Texas 78596

July 27, 2009 4:30 p.m. - 7:00 p.m.

MEETING SUMMARY

Attendees:

Roger Miranda, TCEQ	Chris Rakestraw, C-SAC, LLMF
Arthur Talley, TCEQ	Lee Munz, TSSWCB
Cecilia Wagner, TWRI	Aaron Wendt, TSSWCB
Allen Berthold, TWRI	Ernesto Reyes, USFWS
Paul Duke, UTPA	Jim Tabak, Valley Land Fund
Mark Lingo, TPWD	Andy Garza, TSSWCB
Ron Green, STEI	Roy Jimenez, City of Weslaco
Laura De La Garza, Comite REsources	Ken Jones, LRGVDC
Tony Reisinger, Texas Sea Grant	Jaime Flores, TWRI
Rocky Freund, Nueces River Authority	Richard Eyster, TDA

4:30 Social – Snacks and Refreshments Provided by Professional Services Industries

5:00 Welcome and Introductions.....Jaime Flores, TWRI

5:05 Surface Water Quality Standards Revision process and

New permit requirements for pesticide applicatorsRichard Eyster, TDA

- Pesticide contamination currently not a problem in Texas (a few legacy pollutants exist), but overall not a problem
- Currently, TX has two standards - - full contact recreation (126 cfu/100 ml) and non-contact recreation
- Over 50% of waters are impaired for bacteria):
- Evaluating new standards and proposed to be the following categories
 - o Primary contact recreation: 206 cfu/100 ml (used to be 126 cfu/100 ml) geometric mean – reserved for streams that people often swim in
 - o Secondary contact recreation1: 630 cfu/100 ml – for streams near state parks or near recreation areas, but not necessarily swimmied in
 - o Secondary contact recreation2: 1030 cfu/100 ml
 - o Non contact recreation 2060 cfu/100 ml– for streams such as Houston Ship Channel or barge traffic areas
- When will these standards likely go in place?
 - o TCEQ staff planning to go to Commissioners in November with public comment period to follow. So, likely to be adopted by TCEQ in spring 2010 with EPA to approve after that. While the standards are enforceable after TCEQ adopts them, EPA has to approve them or take issue with TCEQ on the numbers
- Will we have a high flow exclusion in the new standard? Still under discussion.

- Tidal segment of Arroyo Colorado is impaired for bacteria and has a different indicator (enterococcus) (numbers above are e. coli). As far as we know, the tidal segment will stay impaired.
- Non tidal segment is impaired under the current standard; however, with new standards in place (ie. 206 cfu/100 ml), the Arroyo Colorado could go off the list
- There is a possibility that the Arroyo Colorado non tidal undergo a use attainability analysis and a change to secondary contact recreation

- Nov 27, 2006, EPA issued a rule that pesticides applied in accordance with FIFRA were ok and exempt from CWAs permitting requirements
- 6th Circuit Court argued that this is not right or reasonable interpretation of the CWA (entire court did not hear the case so TDA, FB and others have filed a request for the entire court (all 9 judges) to hear the case; if this does not happen, then case will go forward as is and TDA and EPA will have to deal with the ruling in Texas
- Court says that a spray nozzle is a “Point Source” and anything that goes beyond the plant or soil (beyond its purpose) is considered excess or waste and would need a NPDES permit
- EPA has a 2 year stay to develop a general permit (on average it takes EPA 6 months to get a general permit)
- TDA currently working with TCEQ to develop an easy electronic permitting process

- USFWS estimates that 2 to 5 million hogs in Texas

- So is the Arroyo Colorado standards going to be changed?
 - o The changes proposed are for freshwater so it is possible that the Is the Arroyo Colorado a contact recreation?
 - o Does the change allow for a stream that is not contact recreation that flows into a contact recreation?

5:40 Work Group Updates (5 minutes each)

Agricultural Issues Andy Garza, TSSWCB

- 136 certified WQMPs in current 319 project (FY05 funding); Combined total of 391 WQMPs covering 37,500 acres for 319 funding (FY02 and FY05 funding). Including other programs (503, EQIP, etc.), a total of ~67,000 acres

Habitat Issues Tony Reisinger, Texas Sea Grant Extension

- Discussed installing a SolarBee in the Arroyo Colorado (Roger Miranda is working on a small grant to do a feasibility study to see if they can do something for water quality improvements - currently budgeting projects for 2010 – looking for a small amount of money to rent approximately 3 units to be deployed in the zone of impairment. First order of business though is to get wq monitoring station at the Rio Hondo bridge to work. Secondly, funding for Solarbees has taken a back seat to other priorities for 2010 funding. Roger needs letters of support from Partnership and Arroyo Colorado habitat workgroup

- Aeration structures was also discussed on Alan Johnson site. Alan Johnson wants to get another ? run for additional permitting. ~\$30K; TPWD had concerns about fish and shrimp – but new design is below surface so no worries
- **City of San Juan, La Feria requested trainings for wetland management (project idea?) Do we have someone willing to come into the watershed – a volunteer? What about stream team? TCEQ is about to give them money to do outreach and education – could they develop a wetland maintenance module?**
- Shrimp Farm Project – Comite Resources taking the lead on developing a task group to address this project
- Dr. Xongjeng Juan(?) from TAMUK is trying to put together a NSF for SolarBee funding

Water Quality Monitoring..... Rocky Freund, Nueces RA

- CRP and SWQM quarterly monitoring is continuing
- Rocky provided data of Arroyo Colorado Bacteria Indicator Study – as of today, they have collected 6 months of data. They will continue to collect at least 1 year of data (thru December 2009).
- They will also be able to purchase an additional Arroyo Colorado Watershed Model for outreach and education

Wastewater Infrastructure Laura De La Garza, Comite Resources, Inc.

- Inventory of commitments of Pollution Reduction Plan. Jaime is working with Lee and Laura to gather that data.
- They are realizing that reuse is much higher than they originally thought (e.g. City of Harlingen discharges 6 mgd and reuses 2 mgd, but numbers are still being finalized. Right now McAllen, Harlingen and Pharr are all the major players in reuse)
- La Feria Wetlands is complete; San Juan is close; San Benito is trying to move forward
- Military Highway Water Supply Corporation got funding for their Progresso plant
- Alamo looking for funding to upgrade their systems

Education and Outreach..... Jaime Flores, TWRI

- Grant workshop meeting will be changed from August 11/12 to September
- Recently gave presentation to World Birding Center in Edinburg to kids between the ages of 14 to 18 years old.
- TxDOT Watershed Boundary Signs are probably going to happen. The TxDOT MS4 permit has a requirement for the signs (outreach and education). Sharon Slagle is a Stream Team volunteer and works for TxDOT> The partnership applies for a blanket permit with a letter and a support letter from TCEQ. Roy Jimenez (City of Weslaco) will produce extra signs for cities and TxDOT to install for compliance with their MS4 Permits (**NOTE – the 10 signs already in place were paid for by 319 money and they can not be used to meet permits**)

6:05 Long-Term Partnership Sustainability Cecilia Wagner, TWRI

- South Texas Environmental Institute proposal – Cameron County wants to join the Stormwater Task Force in addition to the 14 cities so there is a shift from the urban to the rural work that is happening

- The South Texas Environmental Institute has a mission of service and protection of the South Texas environment – they have students as well as partners from other universities and the College of Ag to support them
- The model of the Task Force is a successful model and could be used to support the watershed coordinator
- How does the LRGVDC Board feel about parenting the ACWP? The Board was approached with this idea in Feb 2008 and agreed to pursuing additional information
- Why did the cities go to TAMUK for MS4 support rather than the LRGVDC? TAMUK had a relationship with the cities already in place and was working with the municipal guys and the TAMUK provides technical assistance, which the cities relied upon.
- Want the same analysis that we gave of watershed coordinators time commitment to Region M and Water Authority of how much of the Watershed Coordinator time would be used for stormwater urban outreach that would be in addition to the plan?
- Communicate with the sustainability task group to create a cost-benefit analysis (remember the lady in the Upper Gila watershed) for cities, counties, sportsmen)
- Jim Tabak likes the idea of being part of the LRGVDC – being a part of the political process. Does not like going with the whim of the latest funding opportunity or grant program. Rather, we need a concrete mission, objective, goal, etc.

6:45 Grants and New Projects Update..... Cecilia Wagner, TWRI

- TCEQ 319 grant cycle coming up in September. Money for implementing the WPP and for addressing the coastal nonpoint source priority issues; TCEQ has not meeting the conditions set out in their coastal nonpoint source priority issues; Such as site **inspection of onsite systems (Arroyo City) and development in the Coastal Zone (Funding for Watershed Coordinator)**
- **Funding or seek effort for wetland maintenance training**
- **Funding for Colonia hook up for bacteria treatment of inflow coming from San Benito area that goes in to Arroyo Colorado just south of Port of Harlingen**

6:50 Other Business Jaime Flores, TWRI

- TCEQ had a mandate from the EPA to clean up the impaired waterbodies. Is that still a mandate? Yes, it is. TCEQ is funding this effort as well as numerous other programs (RDF, 3 city Wetlands, etc.) TSSWCB is also funding multiple programs to implement the WPP
- Has anyone written up a list of accomplishments? Especially in one location (reader friendly format)? No. But the bimonthly updates catalogues the accomplishments; Plus, there is the plan to release an accomplishment report to date – **Tells us we need to update the brochure to list accomplishments (reached 10k kids, rec’vd media coverage)**

7:00 Adjourn..... Jaime Flores, TWRI

- **Should we have the next meeting on Monday? People liked Thursday. Talk to Jude**