



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

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DEC 21 2004

SEARCHED

Dan Eden, Deputy Director  
Office of Permitting, Remediation & Registration (MC-122)  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

Dear Mr. Eden:

The Environmental Protection Agency (EPA) has completed its review of several provisions in the *Texas Surface Water Quality Standards* (TX WQS). These standards were adopted by the Texas Natural Resource Conservation Commission, now the Texas Commission on Environmental Quality (TCEQ), on July 26, 2000, and submitted to the EPA for approval on September 27, 2000. I am pleased to inform you that the EPA is approving the provisions documented in the enclosure to this letter, pursuant to §303(c) of the Clean Water Act (CWA) and the implementing regulation at 40 CFR Part 131 and subject to the completion of consultation under §7(a)(2) of the Endangered Species Act (ESA).

Section 7(a)(2) of the ESA requires that federal agencies, in consultation with the Services, ensure that their actions are not likely to jeopardize the existence of federally listed species or result in the adverse modification of designated critical habitat of such species. The EPA will initiate consultation with the U.S. Fish and Wildlife Service on the provisions of the State's water quality standards identified in the enclosure. Although this process has not been completed as of today, the EPA's approval is fully consistent with ESA §7(d) and the agency retains the full range of options available under CWA §303(c), including the discretion to revise its approval decision based on new or additional information developed in the consultation. The EPA believes that its approval will not adversely affect listed species or critical habitat


The EPA previously approved the new and revised items in §307.2 and §307.3 (with the exception of the definition of "surface waters of the state"); human health provisions; the water-effects ratio provision in §307.6(9); revised minerals criteria for numerous segments in Appendix A - Site-specific Uses and Criteria for Classified Segments, along with the intermediate aquatic life use for segment 230 - Pease River; the revised standards for segment 0230 - Pease River in Appendix A; all new and revised items in Appendix C - Segment Descriptions and Appendix D - Site-specific Receiving Water Assessments; and, criteria based on nine of the water effects ratios for aluminum and copper in Appendix E - Site-specific Criteria. The EPA will take separate action on the remaining new and revised parts of the TX WQS.

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I would like to commend the TCEQ staff for its commitment in completing the task of reviewing and revising the state's water quality standards. If you have any questions or concerns, please contact me at (214) 665-7101 or have your staff contact the EPA's Watershed Management Section.

Sincerely,

  
for Miguel I. Flores

Director

Water Quality Protection Division (6WQ)

Enclosure

cc: Jim Davenport, TCEQ - Water Quality Assessment Section (MC-150)  
Allen White, USFWS - Austin Ecological Services Office

Water Quality Standards approved by EPA (December 2004)

Segment	Waterbody	County	Parameter	2000 TX WQS
1243	Salado Creek	Williamson Bell	TDS	400 mg/l
1427	Onion Creek	Blanco Hays Travis	chlorides sulfates TDS  TDS *	100 mg/l 100 mg/l 500 mg/l  400 mg/l*
1430	Barton Creek	Travis Hays	chlorides sulfates	50 mg/l 50 mg/l
1813	Upper Blanco River	Blanco Hays Kendall	chlorides sulfates	50 mg/l 50 mg/l
1814	Upper San Marcos River	Hays	chlorides sulfates TDS	50 mg/l 50 mg/l 400 mg/l
1905	Medina River above Medina Lake	Bandera	sulfates	150 mg/l
2310	Lower Pecos River	Crockett Terrell Val Verde	chlorides sulfates TDS	1700 mg/l 1000 mg/l 4000 mg/l

\* The TDS criterion for the aquifer protection reach of Onion Creek was revised to 400 mg/l. The criteria for chlorides (50 mg/l) and sulfates (50 mg/l) in the aquifer protection reach were not revised. The aquifer protection reach applies to the contributing, recharge and transition zones of the Edwards Aquifer.