

**Response to Public Comments on  
Implementation Plan for Seventeen Total Maximum Daily Loads for Bacteria  
in the Greater Trinity River Region**

**(Segments 0805, 0822A, 0822B, 0841, 0841B, 0841C, 0841E, 0841G  
0841H, 0841J, 0841L, 0841M, 0841R, 0841T, and 0841U)**

**November 22, 2013**

| <b>Tracking Number</b> | <b>Date Received</b> | <b>Affiliation of Commenter</b>      | <b>Request or Comment</b>   | <b>Summary of TCEQ Action or Explanation</b>  |
|------------------------|----------------------|--------------------------------------|---|---|
| 001_01                 | 7/25/2013            | Dallas Down River Club<br><br>(oral) | The Dallas Down River Club supports this TMDL Implementation Plan (I-Plan). The development of the Upper Trinity River as a recreational venue is long overdue and “contact safe water” is key to achieving that result. The use of canoes, kayaks, and stand-up paddle boards continues to increase, and the Trinity River is a great resource for paddle sports. We would encourage the local municipal governments to continue to support this effort through appropriate funding to insure that this I-Plan is successful. We would also like to see additional cooperation between those municipalities and Texas State Stream Team monitoring effort to help fill the monitoring gaps as they are identified. | The TCEQ and Greater Trinity Bacteria Coordination Committee appreciate the Dallas Down River Club’s concerns regarding water quality of the Trinity River and the promotion of recreation in the streams of the Trinity River watershed. Funding to support the I-Plan, which includes monitoring efforts, is a priority of the Coordination Committee. The Coordination Committee will pursue funding opportunities as they become available to ensure that implementation activities are conducted to the fullest extent possible.<br><br>The TCEQ and Coordination Committee look forward to the continued participation by the Dallas Down River Club in the I-Plan for bacteria TMDLs.<br><br>No changes were made to the I-Plan based on this comment. |
| 001_02                 | 7/25/2013            | Dallas Down River Club<br><br>(oral) | The commenter would like to encourage that appropriate signage be placed at recreational sites that are developed along the river. Signs should inform the public about all potential water quality issues, including those not addressed by the I-Plan.  | The TCEQ and Coordination Committee agree that informing the public of water quality issues for a particular body of water is important. The I-Plan contains an education and outreach implementation strategy that outlines the development and dissemination of educational materials specific to the bacteria impairments in the project area. The TCEQ will continue to disseminate information related to all water quality impairments in the state.<br><br>No changes were made to the I-Plan based on this comment.   |

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| 002_01          | 8/1/2013      | City of Grand Prairie<br>(written – email)               | <p>The draft I-Plan states that Lone Star Park, a horse racing facility near the Lower West Fork Trinity River, “has no exposure and no discharge.” This statement is not accurate; however, it is correct to say that this property is not thought to be a contributor to <i>E. coli</i> levels in the Lower West Fork.</p> <p>Stormwater runoff from the facility is directed to detention ponds on site. The discharge from the ponds flows to a dam that is controlled by the Grand Prairie Metropolitan Utility and Reclamation District (GPMURD). The only time stormwater leaves the Lone Star property is when: 1) the water gets so high that the water “gravity flows” out of the dam, 2) GPMURD pumps the water out when it reaches a certain level, or 3) once per month when GPMURD tests the system for about 20 minutes by pumping out 1 foot of water.</p> <p>The commenter provided suggested language for better characterizing Lone Star Park.</p> | <p>The TCEQ and Coordination Committee appreciate the City of Grand Prairie’s review of the draft I-Plan. The Coordination Committee agrees with the comment and the I-Plan was revised to more clearly characterize Lone Star Park. The first paragraph of Implementation Strategy 4.1 was revised to read: “Lone Star Park, a horse racing facility near the Lower West Fork Trinity River (Segment 0841_01), is not authorized to discharge wastewater and is not thought to be a contributor to <i>E. coli</i> levels in the Lower West Fork.”</p> <p>The TCEQ and Coordination Committee look forward to the continued participation by the City of Grand Prairie in the I-Plan for bacteria TMDLs.</p>  |
| 003_01          | 8/1/2013      | Oncor Electric Delivery Company LLC<br>(written – email) | <p>Oncor recommends the I-Plan include a definition section, in which “linear utility project” is defined separately and explicitly excluded from the “construction project” definition. “Construction projects” would include “new developments and “redevelopments.” Oncor states that their “construction and maintenance activities do not significantly contribute to bacteria loading within [the project] watersheds and environmental impacts of [Oncor] rights of ways are minimal. Oncor strongly encourages TCEQ to consider the implications of the I-Plan on linear utility projects (e.g., natural gas and electric transmission and distribution lines).”</p>  | <p>The TCEQ and Coordination Committee appreciate Oncor’s review of the draft I-Plan. The TMDL I-Plan is voluntary and does not contain requirements for entities authorized under TCEQ’s Construction General Permit (CGP) TXR150000. Implementation Strategy 3.2 simply outlines support of existing inspection programs, education efforts, and training workshops. Construction sites, regardless of type (i.e., new development, redevelopment, or linear utility project) of one acre and larger are required to comply with TCEQ’s CGP.</p> <p>The Coordination Committee invites Oncor to participate in the I-Plan for bacteria TMDLs. The I-Plan promotes an iterative adaptive management approach that allows the stakeholders to revise the I-Plan as needed.</p> <p>No changes were made to the I-Plan based on this comment.</p> |

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| 003_02          | 8/1/2013      | Oncor Electric Delivery Company LLC<br>(written – email)  | <p>Oncor comments that it supports TCEQ encouraging municipalities within bacteria-impaired watersheds to adopt best management practices (BMPs) ordinances, but requests it also emphasize the necessity for differentiating linear utility construction projects from other types of construction activities.</p> <p>Oncor comments that Implementation Strategy 8.0: Best Management Practices Library is of concern, as it appears that impacts to linear utility projects were not considered. For example, Strategy 8.0.2 includes a construction BMP for tree removal and replacement, which is not viable for linear utility projects.</p> | <p>The Coordination Committee encourages municipalities to adopt BMPs for new developments and redevelopments. The topics listed in the BMP Library section of the I-Plan are not all inclusive and may change over time as more information becomes available. The</p> <p>Future participation by Oncor in the I-Plan will ensure that linear construction activities are appropriately considered.</p> <p>No changes were made to the I-Plan based on this comment.</p>   |
| 003_03          | 8/1/2013      | Oncor Electric Delivery Company LLC<br>(written – letter) | <p>The use of the term “reasonable rain events” in Section 8.0.2.1 is not defined in the I-Plan and is open to interpretation. Oncor suggests defining “reasonable rain event” to coincide with language in the CGP TXR150000 for construction stormwater discharges.</p>  | <p>The TCEQ and Coordination Committee agree that such a general term may create confusion. In response to the comment, Section 8.0.2 was revised to read: “The Coordination Committee encourages municipalities within bacteria-impaired watersheds to adopt BMPs for development including adoption of ordinances specifying no net discharge of stormwater during a storm event resulting in 0.5 inches or greater within a 24-hour period from new developments and redevelopments, utilizing Green Infrastructure (GI), iSWM, or LID in all pertinent construction projects, smarter use of buffers and green space, and provisions for tree removal and replacement.”</p> |

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| 004_01          | 8/2/2013      | City of Dallas<br>(written – letter) | The City requests clarification on the process for revising the I-Plan when the need for adjustments is identified in the future.  | <p>The TCEQ and Coordination Committee appreciate the City of Dallas' review of the draft I-Plan.</p> <p>I-Plans for Texas TMDLs use an adaptive management approach that allows for refinement or addition of methods to achieve environmental goals. Periodic, repeated evaluations of the effectiveness of implementation methods ascertain whether progress is occurring, and may show that the original distribution of loading among sources should be modified to increase efficiency. I-Plans will be adapted as necessary to reflect needs identified in evaluations of progress.</p> <p>The revision of I-Plans is not subject to federal or state rules and there is no specific process for adapting existing I-Plans. Implementation Strategy 9.0 outlines how the Greater Trinity I-Plan will be evaluated. The I-Plan evaluation will be made available to the public for additional input. The Coordination Committee will be convened annually to assess any proposed changes and edit the I-Plan if necessary. The Coordination Committee will submit the revised I-Plan to TCEQ for review. Upon review, TCEQ may request additional changes prior to approval of the revised I-Plan. TCEQ will submit a letter to the Coordination Committee upon approval of the revised I-Plan.</p> <p>No changes were made to the I-Plan based on this comment.</p> |
| 004_02          | 8/2/2013      | City of Dallas<br>(written – letter) | The maps and other graphics within the I-Plan are helpful, but are currently provided at a scale that is extremely hard to read. The city requests the use of larger font and to consider providing the mapping at a larger scale. | <p>The Coordination Committee recognizes that some of the maps in the I-Plan may be difficult to read. The vast size of the I-Plan watershed makes it difficult to produce maps for this document. All figures are available at greater resolution online at: <a href="http://www.nctcog.org/envir/SEEClean/wq/tmdl/TMDLI-Plan.asp">www.nctcog.org/envir/SEEClean/wq/tmdl/TMDLI-Plan.asp</a>. The figures in the I-Plan have been revised to include a text box that directs readers to the online maps.</p>   |

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| 004_03          | 8/2/2013      | City of Dallas<br>(written – letter) | Implementation Strategy 2.2 is named “Land Use and Business Evaluation.” However, the text associated with the strategy relates to a regulatory review of related land use codes and ordinances, including appropriate TPDES permit requirements. The city suggests re-naming this section to “Regulatory Review” so that it more closely relates to the anticipated work effort. | <p>Implementation Strategy 2.2 was developed by the stakeholders to evaluate land uses and identify certain businesses within the I-Plan watershed. The review of respective codes, ordinances, and permits is a secondary component of this strategy. To more accurately describe the effort, the strategy was re-titled “Land use, business, and regulatory review.”</p> <p>The TCEQ and Coordination Committee look forward to the continued participation by the City of Dallas in the I-Plan for bacteria TMDLs.</p> |