Response to Public Comment
Two TMDLs for Indicator Bacteria in the Upper Trinity River
(Segment 0805, Assessment Units 0805_03 and 0805_04)

Tracking Number	Date Received	Affiliation of Commenter	Summary of Request or Comment	Summary of TCEQ Action or Explanation
001	10/19/2010	Dallas resident (Oral Comment)	The commenter stated that the Trinity is "a filthy polluted river" and that the data presented in the TMDL document "far exceeds the allowable standard." He expressed concern about the City of Dallas building a whitewater park for people to "play in that contaminated water" and other local gas well projects that may impact the river. He wanted TCEQ to consider that the river is being promoted as a venue for recreation in spite of the fact that the stream is not meeting allowable standards. He also encouraged the collection of water quality data where the whitewater park is being built. He stated that the reason he attended the meeting was that "TCEQ was considering re-evaluating the rivers in the State of Texas and rating them as non-recreational to allow a higher amount of contaminant/pollutant in the stream without it raising any alarm bells."	TCEQ appreciates the commenter's concerns regarding water quality of the Trinity River. The TMDLs for indicator bacteria in the Upper Trinity River, assessment units 0805_03 and 0805_04, were developed to determine the amount of *E. coli* that the stream can receive and still meet the primary contact recreation use standard. The TMDL for indicator bacteria in the Upper Trinity River does not propose change to the recreational use of the segment. Additional locations for the collection of water quality data will be considered during the implementation phase of this project. This project addresses only bacterial contamination. Issues concerning contamination by gas drilling projects are under the jurisdiction of a separate state agency, the Texas Railroad Commission. Issues with other contaminants under TCEQ jurisdiction will be addressed through other TMDL projects or other TCEQ program areas as appropriate. No changes were made to the TMDL document based on this comment.
002-1	11/05/2010	City of Dallas (Letter)	A history and purpose of the Trinity River Corridor/Standing Wave Project was provided. The Standing Wave Project was designed to function at flows below 2,000 cubic feet per second (cfs) and the contact recreation use criterion was considered in the project design.	TCEQ appreciates that water quality standards were considered in the design of the local project. No changes were made to the TMDL document based on this comment.

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002-2		City of Dallas	The Final Draft Technical Support Document "indicates human sources (23.7%) and pets (11.4%) comprise about 35% of the load to the river segment 0805" and that "the remaining 65 percent of the identified source load contributions are not quantified." Achieving expected reductions would require "elimination of most if not all qualified loads." Developing a viable TMDL Implementation Plan will be challenging.	The source percentages cited in the comment are not load contributions and are not included in the TMDL document. The percentages are the estimates of possible bacteria sources for Segment 0805 under all flow conditions based on the bacteria source tracking component of the TMDL project. Bacteria source tracking was performed to support implementation plan activities and was not used in the development of TMDL allocations. The TMDL allocations do not quantify sources based on the bacteria host (i.e., livestock, avian, pet, human, wildlife). TMDL loads are quantified based on the regulated/non-regulated sources (i.e., domestic/industrial wastewater, regulated storm water, non-regulated storm water). TCEQ recognizes that TMDL implementation may be challenging. TCEQ promotes a phased iterative implementation approach that allows the local communities to determine the management approaches that work best for their watersheds. No changes were made to the TMDL document based on this comment.
002-3		City of Dallas	The sanitary sewer overflows (SSOs) data set used in the TMDL does not coincide with the bacteria data set used in the TMDL development. The SSO data set used does not reflect recent programmatic improvements that the City of Dallas has implemented to address this issue.	SSO data was presented in the TMDL document to provide a general overview of the SSO occurrences in the watershed. The information was not used to calculate the TMDL allocations. The SSO data were not used in the computation of TMDL allocations. The SSO summary was based on SSOs reported to the TCEQ Region 4 Office by the responsible parties for the period September 2003 through February 2009. Programmatic improvements to reduce SSOs should be included and acknowledged in the Implementation Plan for this project. No changes were made to the TMDL document based on this comment.

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002-4		City of Dallas	There is no apparent load allocation directly associated with SSOs. Clarification of how the SSOs are captured in the TMDL allocations would be helpful.	SSOs are unauthorized discharges and are therefore allocated a load of zero. TMDL allocations cannot provide an allocation for unauthorized discharges. TCEQ recognizes that the total elimination of SSOs is unlikely and promotes participation of permittees in the SSO Initiative to reduce the number of SSOs that occur and address the SSOs before they impact the environment. Any SSO reductions that result in reduced bacteria levels in the river will assist in reaching the TMDL target and are a positive step in the implementation phase of the project. No changes were made to the TMDL document based on this comment.
002-5		City of Dallas	An allocation has been provided for the regulated wastewater for Assessment Unit (AU) 0805_04 based on wastewater treatment plants (WWTPs) in other AUs. The Clean Water Act Section 208 Regional Water Quality Plan does not currently foresee the need for WWTP expansion in this AU. Please clarify assumptions used for providing the future capacity estimate or re-allocate this load to address other sources.	The AU 0805_04 watershed is serviced by two regional WWTPs that discharge outside of that watershed. Although a new WWTP is unlikely to be built in AU 0805_04, not providing a nominal future capacity in the TMDL would effectively prohibit any new WWTP permits in the AU watershed or any increase in discharge capacity in existing permits should such an unanticipated need develop in the future. The future growth allocation provides a mechanism for water quality permitting in the watershed. No changes were made to the TMDL document based on this comment.
002-6		City of Dallas	The data have been presented in Most Probable Number (MPN) per 100 Milliliters, relative to flow rates in cubic feet per seconds (cfs). However, the load allocations are presented in Billions of MPN per Day, with a conversion provided that used cubic meters per second (cms) as the flow rate. It may be helpful to TMDL Implementation Plan writing to provide a conversion of these values to resulting criterion that could be correlated to a loading in MPN/100mL with a comparable flow rate in cfs.	Flow rates in cfs were added to the document to facilitate implementation planning.

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002-7		City of Dallas	It would also be helpful to provide the flow rates that are used to define "lowest flow, mid-range flow, and highest flows" as presented in the load duration curves.	TCEQ agrees with the comment, so the median flow rates for the lowest, mid-range, and highest flows have been added to the TMDL document.
002-8		City of Dallas	Please clarify how these load allocations may be used with respect to potential future effluent limits in TPDES permits held by the City of Dallas. The City of Dallas maintains a number of TPDES discharge permits. Please provide clarification on the State's anticipated path forward, including timeline for implementation, for incorporating these TMDL criteria in upcoming permit renewal applications.	Bacteria effluent limitations and monitoring in Texas domestic water quality permits became a requirement as part of the amendment of 30 Texas Administrative Code Chapter 319. The new regulation became effective November 26, 2009. WWTPs discharging to the TMDL AUs will be assigned an effluent limit based on the TMDL. Monitoring requirements are based on permitted flow rates and are listed in §319.9. The permit requirements will be implemented during the routine permit renewal and amendment process. No changes were made to the TMDL document based on this comment.
002-9		City of Dallas	Given the complexity of the sources associated with these TMDLs, the City acknowledges and appreciates the "iterative adaptive management approach that is being used to address storm water discharges." The City is committed to "implementing appropriate structural and non-structural controls, implementation of mechanisms to evaluate the performance of these controls," and anticipates the need to make adjustments as necessary to protect water quality.	The TCEQ appreciates the commitment to the protection of water quality in the Trinity River. Active participation by the City in the development of the Implementation Plan will ensure that progress towards meeting water quality goals is made. No changes were made to the TMDL document based on this comment.