



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

APR 30 2009

Mr. John Foster, Manager
Texas State Soil & Water Conservation Board
311 North 5th Street
P.O. Box 658
Temple, TX 76503-0658

Dear Mr. Foster:

Thank you for submitting the Pecos River Watershed Protection Plan (WPP) for our review. We have completed our review and have enclosed our recommendations for your consideration in updating and modifying the WPP. We are interested in continuing to coordinate with your agency as the revision progresses.

We appreciate your staff coming to Dallas in February to provide additional clarification of the WPP, and to help us understand the level of uncertainty described in the WPP of the water quality impairments and level of effort necessary to restore water quality. We discussed our concerns with linking dissolved oxygen (D.O.) impairment with the salinity reduction best management practices (BMPs) proposed in the WPP. The meeting gave us a better understanding of the process the State will follow to link the proposed actions.

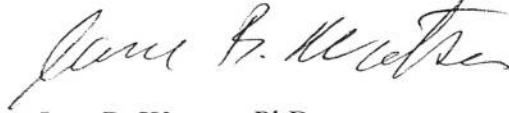
The State has made tremendous progress in satisfying the required criteria outlined in EPA's 2004 National Nonpoint Source Program Guidelines (national guidelines). We support continued collection of water quality data and developing a D.O. model linking the proposed BMPs to increases in D.O. concentrations in the Pecos River. This will help satisfy Elements A-C of the national guidelines and provide support to determine the degree of restoration that can be expected in the impaired waterbodies.

In implementing the WPP, we strongly recommend maximizing collaboration with other federal and state partners. In particular, a high level of participation by the USDA/NRCS in providing the necessary funding for landowners to incorporate the BMPs as prescribed in the WPP would improve the likelihood of successful water quality restoration.

We look forward to continuing our partnership in developing and implementing watershed-based plans that restore water quality. If you have any questions concerning our enclosed recommendations for modifying the Pecos River WPP, or with other WPPs in progress,

please contact me, or have your staff contact Brad Lamb at (214) 665-6683, or you may email him at lamb.brad@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jane B. Watson". The signature is fluid and cursive, with a large initial "J" and "W".

Jane B. Watson, PhD
Associate Director
Ecosystems Protection Branch

Enclosure

cc: T.J. Helton - TSSWCB

Pecos River Watershed Protection Plan
EPA Review - Recommendations
April 24, 2009

1. **D.O. Modeling** - At our meeting in February, it was agreed that modeling D.O. would be performed to better target sources and likely load reduction estimates from these sources. This effort should clearly link the degree of salinity reductions with the anticipated D.O. improvements.

2. **Targeting known sources causing D.O. impairment** – Page xiii, last paragraph under the “Framework of the Plan” – it is stated that “*This watershed protection plan is a starting point to finding the answer to water quality and quantity problems in the Pecos River watershed of Texas and will continually evolve as more information is learned.*” Additional work will be necessary to further refine the sources causing D.O. impairment and estimating the load reductions, and to reduce the uncertainty created by this statement and others noted below. This is a limiting factor for satisfying Elements A & B.

3. Reducing Statements of Uncertainty and General Assumptions:

a). Page xi, second to last paragraph, it states that “*Management measures will only be implemented at the landowners’ voluntary request; therefore, management measures are general and can be applied in many locations.*” Though the nature of the program is voluntary, the watershed plan should describe where and which BMPs are needed to address TDS concerns and attain water quality standards for D.O. We acknowledge that D.O. impairment was listed during the mid-course development of the WBP. We anticipate that updated water quality data and D.O. modeling will help determine the locations of BMPs where highest load reductions can be achieved, and thus attain water quality restoration.

b). Page xiii, states that this plan includes “*general practices that can be used in a variety of locations across the diverse Pecos River watershed.*” This statement exemplifies uncertainty in the plan’s process to target BMPs in locations where greatest load reductions can and must be achieved in order to restore water quality. This statement needs to be refined to remove doubt and ultimate successful implementation.

c). Page 39 indicates a lack of information available to develop an implementation plan. Lack of information complicates determining where BMPs should be placed, and certainty that implementation will improve water quality.

d). Page 77, The following statement should be revised once the modeling analysis has been completed - “*At this point, anticipated improvements in DO levels as a result of implemented management measures cannot be quantified as no in-stream water quality model has been developed. An estimate of nutrient load reduction, BOD reduction and sediment reduction can be developed from individual WQMPs and in turn, can be translated into anticipated DO improvements. Individual WQMPs will have a varying levels of expected water quality improvements based on the practices recommended for implementation....*”

4. **USDA/NRCS** - The plan could provide more clarity on how future involvement and funding commitments can be enhanced with other state and federal partners, but particularly USDA/NRCS. Sustainability of these efforts are likely only if USDA views this effort as a priority, and thus avails EQIP funds to support the initiatives proposed in the WPP.