

TMDL Stakeholder Process

Redeveloping the Process in Texas

Legislation-----

- § Law states that the Texas State Soil and Water Conservation Board (TSSWCB) is the “...lead agency for the abatement of agricultural and silvicultural non-point source pollution.”
- § The Texas Commission on Environmental Quality (TCEQ) is the State’s regulatory environmental agency

The Way it Was....

- § Prior to the 2003 State Legislative Session
 - Annually, the TCEQ TMDL team contacted the TSSWCB TMDL team with a list of priority watersheds for that year
 - The TSSWCB TMDL team would then contact the field rep and SWCDs in those watersheds and determine what was causing the impairment
 - If there was an agricultural or silvicultural component to the cause of the impairment, the SWCD would invite stakeholders to attend meetings and form stakeholder groups

The Way it Was (contd).. A flowchart on a green background with yellow boxes and arrows. The process starts with 'TCEQ Sets Priority WS', which leads to 'Contact Made with TSSWCB'. From there, an arrow points down to 'TSSWCB TMDL team Sends info to FR & SWCDs'. This leads to 'SWCDs & Local Parties state what They think is causing impairment'. An arrow then points to a decision box 'AG or Silv. Related?'. If 'No', an arrow points up to 'SWCD & TSSWCB w/ Draw from process'. If 'Yes', an arrow points down to 'Stakeholder Group formed Including SWCDs & TSSWCB'.

TCEQ Sets
Priority WS

Contact
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SWCD &
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AG or Silv.
Related?

No

Yes

Stakeholder
Group formed
Including SWCDs
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The process was---

- § Stakeholder/landowner friendly
- § Voluntary efforts to implement BMPs to reduce ag or silvicultural contributions to the impairment
- § SWCDs and local landowners understood where/what/why/how about the TMDL process

The Way it Has Been since 2003

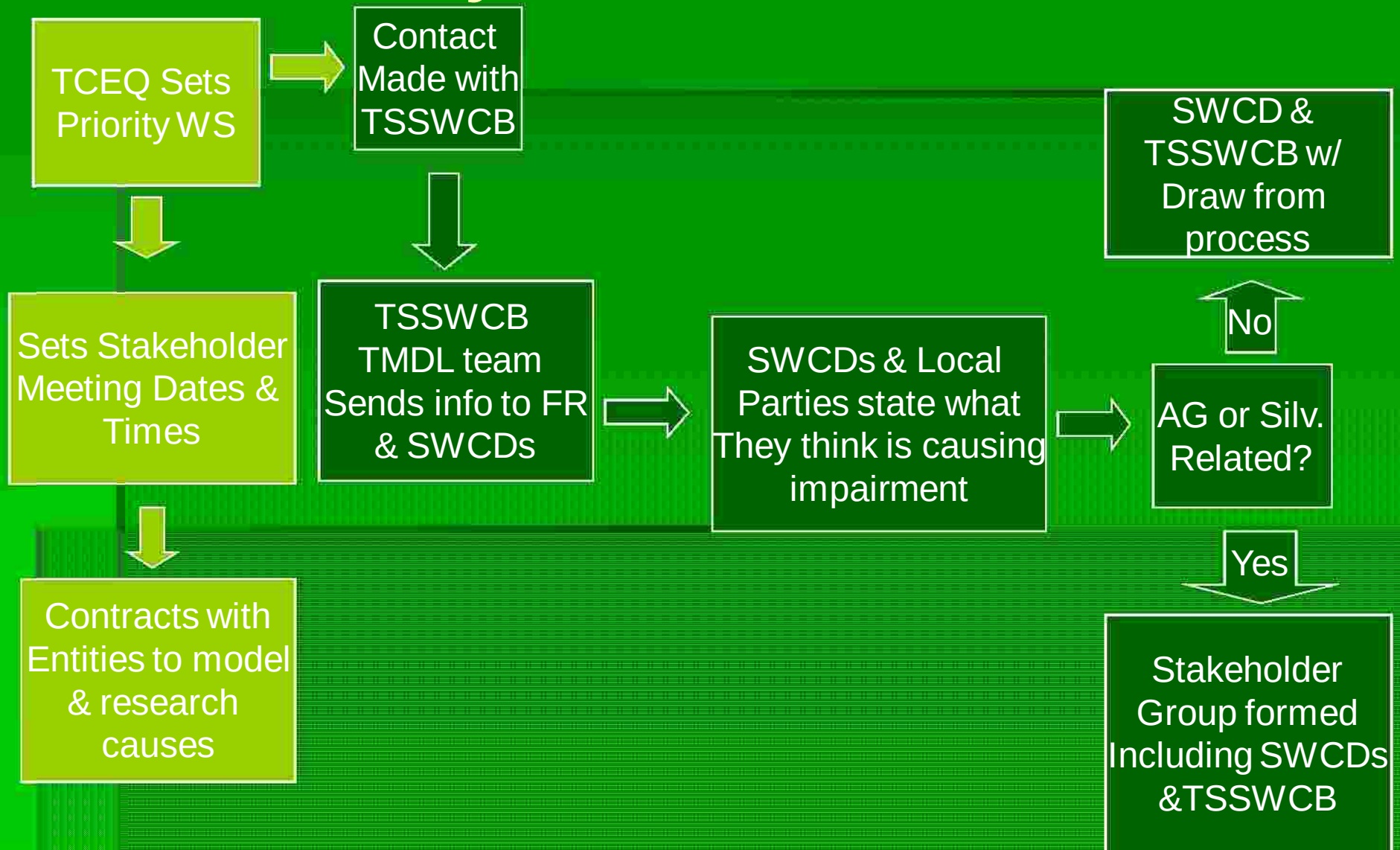
- § Because of the 2003 State legislative session, TSSWCB received major cuts to HQ staff
- § The TMDL team lost several key employees
- § Agency went through a reorganization process
- § Communication with TCEQ broke down as a result

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Currently.....

- § Starting in 2005-2006, notices of stakeholder meetings were being sent to TSSWCB
- § No communication with SWCDs, TSSWCB or stakeholders prior to initial meetings being held
- § Many times landowners were not informed until second or third meetings were being held

Currently.....



Currently.....

- § Results in low meeting turn out
- § Landowners feel unfairly blamed
- § Modeling is only as good as it's inputs, and inputs were weighted towards agriculture being the cause
- § Entire TMDL process was “fast-forwarded”, often stakeholders couldn't understand the process

Resolution??

- § Joint meeting between TCEQ & TSSWCB will be held
- § Hoping to put in place protocol for how to handle those TMDLs that have the potential to impact agriculture and/or silviculture
- § Increased interagency communication is mandatory for stakeholder involvement
- § SWCDs must be involved for implementation plans to be successful