



STAKEHOLDER MEETING 14

January 19, 2016

5:30 – 7:30 PM

Double Bayou Community Building

MEETING SUMMARY

Stakeholders: David Boyd, Tom Douglas, Norma Ezer, Leroy Ezer, Steve Fitzgerald, Tyler Fitzgerald, Larry George, Elga Jackson, Charles Johnson, Brandt Mannchen, Creola Moore, Rex Tunze, Pudge Willcox

Team Members: Ryan Bare (HARC), Abby Ficklin (Shead), Stephanie Glenn (HARC), Brian Koch (TSSWCB), Lisa Marshall (GBEP), Brandie Minchew (Shead), Linda Shead

1. Welcome, Introductions, and Agenda Review

Linda Shead welcomed and thanked everyone for attending the meeting. She expressed appreciation of Samson Energy for sponsoring the dinner (prepared by Russell Ezer), and of Chambers County for its continued support: Precinct 2 for the meeting room, Emergency Management for the screen, the Economic Development Office for the PA system, and the Parks Department for getting inmates to set up the tables and chairs. She noted that Precinct 2 Commissioner Larry George was in attendance, and thanked him.

She reviewed the goals for the evening's meeting, which were to provide an update on some new lessons about feral hog control (with slides from Mark Tyson), and to consider any final comments on the plan. Stephanie will tell about the next step of the public comment period, and Brian will describe what happens once stakeholders approve the plan.

2. Update on Feral Hog Control Measures

Linda reported that several recent meetings (Watershed Coordinators Round Table and the State of the Bay Symposium) have had presentations on the latest thinking in feral hog control. Early on, when she began attending feral hog workshops, it seemed that trapping, and specifically using corral traps, was the major push in feral hog control. Because feral hogs are so smart, however, it turns out that there is no such thing as a silver bullet: To have an impact on the population, it is necessary to use all of the legal options, specifically trapping, shooting, snaring and trained dogs. She provided a caution about snaring, though, because they can catch unintended animals.

One particularly interesting new story was about a Feral Hog Abatement Pilot Project in 2006-2007, which was a collaborative effort of Texas Wildlife Services and Texas A&M AgriLife Extension. This

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Double Bayou Watershed Partnership is a project of the following entities:



HARC



project involved 48 cooperators, owning a total of 223,017 acres, in three counties – two in east Texas and one on the mid-coast. They removed 3,800 hogs, reducing damages by 50-70%, saving landowners over four million dollars. One of the interesting things about this project was that it was conducted on a county scale. While Double Bayou stakeholders had suggested the need for a statewide effort, especially since feral hogs move around so much, this pilot project recognized that it would be easier to develop a cooperative effort in areas that have more in common. Thus, Chambers County might could work with Liberty County. And, Mark reports that the new Ag agent in Liberty County is very interested in working on feral hog control.

3. Final Review of the Draft WPP Document and Release for Public Comment

Stephanie Glenn began the discussion of the draft WPP document by noting the comments that had been received from stakeholders and the resulting changes, which were all fairly minor, and most resulted in changes in the appendices, rather than the main body of the document. Word corrections were made; pie charts were added to the SELECT results; and some acknowledgements were added. Linda asked attendees if there were any additional comments, and reiterated the importance of everyone being proud of the end result.

Stephanie then noted that the next step will be what is called the public comment period. It will be a 30-day period, following a press release that will go to a wider audience than what has been used so far for the project – to invite the public at large to make comments. Comments may be made to one part or all of the document, and Stephanie encouraged folks to share with anyone they'd like to have review the document. The public comment period will open on January 27 and end on February 26. After that the comments will be incorporated, and the plan will be sent to EPA for their checkpoint review.

Next followed additional questions from the stakeholders, and answers, about the process:

Q: What is a checkpoint review?

A: It has to do with the 9 elements, and Brian will go over that in the next section.

Q: Does EPA have a right to say that the level of bacteria set in the plan is too much?

A: The plan is set based on the existing criteria, and the reduction is the stakeholder reduction to get there.

Q: So, they cannot arbitrarily lower the level?

A: No, because everyone has agreed to make sure it will be below the standard, which is our goal. The only approval happens in this room. The EPA just checks to see if it meets the elements, and thus is okay to receive funding. The group has made the goal to make sure that the reductions will meet the standards set by the State.

Stakeholders can also make comments during the public comment period.

Q: What happens if we don't meet our goal?

A: The goals are for a 10-year period. As long as steps are being taken as planned, then there is no penalty.

The main thing is to see improvement. These streams didn't get in this condition overnight, so EPA will not be negative if we keep on the path.

Also, one of the goals is to continue monitoring water quality, so if an area isn't doing well, the steps can be re-evaluated.

It's all about making a good faith effort and adaptive management – to see what's working and what's not.

Q: So, if 3-4 years down the line with some things working and some not, will this group re-constitute? Or how will they continually be getting and giving feedback?

A: Part of the plan is to maintain the group and meet periodically, and also to keep the group informed, with newsletters and other communications.

Q: What happens if it [the water quality] doesn't get any better?

A: Then, the group would need to reconsider and see if there is something else to try, or to try in a different place. Also, there may be new management measures to consider. There is constantly evolving knowledge – it's a very iterative process. Again, there are no bright lines of punishment of not getting to a specific point by a specific date. It's about a good faith effort.

Q: What happens if someone doesn't like what they see when it goes out for public notice?

A: They have the right to comment, and we respond to it – all in writing. The group would have to agree if it is a significant change. We don't change it to please just one person.

Q: Or more than one?

A: We don't see that happening because you are the stakeholders, the people here. We have to try to answer a question, especially if it is reasonable. But the plan isn't going to suddenly change.

4. Next Steps in the WPP and Its Implementation

Brian described the steps following the 30-day public comment period. First, it will go up to EPA for consistency review. That's in Appendix C – the Nine Criteria for a Successful Watershed Protection Plan. [*Note: "Criteria" in this case refers to the elements of a plan that were mentioned previously in the meeting.*] These are:

A: Identified causes of the impairment and the pollutant sources. That was all about the workgroups identifying the sources and the SELECT modeling.

B: Estimated load reductions expected from management measures. This came from adding up the numbers for the measures the workgroups developed.

C: Nonpoint source management measures. This goes back to the workgroups selecting specific practices to reduce bacteria.

D: Estimated financial and technical assistance. This came from the discussion of how many WQMPs are needed, and how many septic systems need to be addressed, and other measures.

E: Information and education measures. This is about how we get knowledge of the plan out into the community.

F: Schedule. This is where we looked at the 10-year period and decided which things would be going in years 1-3 and 4-6, etc.

G: Measureable milestones. This is our own measuring stick built into the plan, and also about looking at the water quality data and going to adaptive management if needed.

H: Meeting criteria. This is also about looking at the water quality data to see how the levels are doing.

I: Monitoring. This is the component to track water quality monitoring, but also to track what implementation has taken place.

During development of the plan, we compared ours to what has been done across the state and what plans have met consistency review. We think this plan should be good, and we've trimmed and cleaned it up to reduce the feedback from EPA. Once it goes to EPA, they have 90 days to look at it. There can be questions wanting clarity, but we have worked to make it match what has passed consistency.

Brian then reported that, In terms of implementation funding, a couple of grants have been submitted. The Trinity Bay Soil and Water Conservation District submitted an application last year to implement the Ag management measures in this plan, with a technician who would also work in the Cedar Bayou watershed. This looks optimistic for funding. HARC also applied to continue facilitation and to keep the ball rolling. There are also other pots of money, such as the RESTORE Act, and the TCEQ nonpoint source funding, which could address septic systems and maybe some in-town issues.

Q: Are we still on the grant from last year, because I haven't had anything done yet on what I'd asked for on a septic system?

A: That funding is not affiliated with the watershed grant, and we'd have to get with TCEQ to see the status. We could also apply for something specific for the watershed, so folks in the watershed would not be competing with other areas. The team could check with Ryan and see what's going on with his program.

Q: Did the group as a whole pick out the budget?

A: These costs were developed compared to ongoing programs. It's more of an estimated cost, and it may need to be updated. If anyone has better information, it will be welcomed. It's best not to have numbers too low in the plan, so that a grant to cover the cost can be justified.

7. Wrap-Up, Timeframe, Announcements and Next Steps

Brian said that we will reconvene once we have more information for the groups. He also noted that in his ten years on these projects, this group has been one of the most active, excited and good groups to work with.

Linda reported on a WPP panel at the State of the Bay Symposium. She'd participated about Double Bayou; Justin Bower was there for Cedar Bayou; Charlene Bohanon for Galveston Bay oyster waters; and Charriss York for Dickinson Bayou. For the panel, Linda had figured out that nearly 4% of the population of the Double Bayou watershed had participated in the project at some point, and about 1% regularly. This would be equivalent to having more than 10,000 people attending regularly in a city of 1 million (and Houston has several million). So, the Double Bayou watershed is a champion in terms of level of participation. No one on the panel could touch the level of participation here.

Stakeholders had a few more questions:

Q: How does the rainwater affect us here, since we have all the floods up in the Liberty County area?

A: When there's so much rain, it affects in two different ways. One is in the number of days since the last rainfall. A long gap between rains results in more accumulation on the ground, and thus the water quality in the bayou decreases. Recently, with rain after rain after rain, the days since last rainfall are a small number, and there is not as much accumulation on the ground. The water quality won't take a dive like it would from the first initial rain. Lake Livingston is an entirely different, separate thing. Releases there increase the inflows, and can improve the water quality and habitat in the whole system.

Q: That would help the dissolved oxygen, but what about the bacteria load? Don't we have higher bacteria loads in the Trinity, especially coming from Dallas?

A: No, there is a lot of settlement in Lake Livingston, so you wouldn't get the same loads as without the lake. Plus there is a lot of bacteria die-off between Dallas and Lake Livingston. It's a complex system. The Trinity River Authority, USGS, and the Texas Water Development Board are looking into developing more information about what happens in the Trinity in the lower, tidal part.

Brian noted that it would help those who are doing that planning if they would ask the folks who live here.

Q: Isn't there a large project, about half way down the Trinity, that's a wetlands of Texas Parks & Wildlife, to specifically clean the water?

A: The project was on Richland Creek, which is a tributary of the Trinity River, and may have pumped water from the Trinity through it.

Linda asked if there were any more questions or comments. She thanked everyone. The HARC folks did the science behind the analysis and put it on paper, but the objectives, goals, management measures, sources, land use – no one elsewhere could have come up with all the good information that folks here (locally) provided, which enabled the plan to be written.