

Appendix B
Letters of Approval from TCEQ

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Kathleen Hartnett White, *Commissioner*
Margaret Hoffman, *Executive Director*

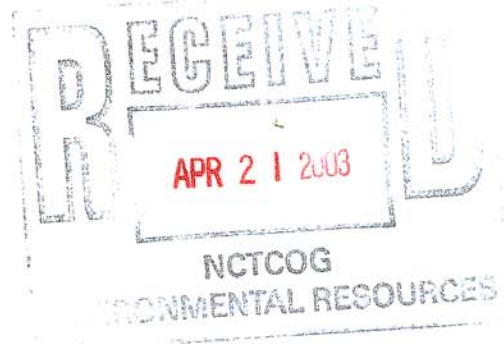


TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 15, 2003

Mr. David Gattis, Chairman
Regional Storm Water Management Committee
c/o North Central Texas Council of Governments
P.O. Box 5888
Arlington, Texas 76005-5888



Re: Letter of January 30, 2003 - Summary of the Dallas-Fort Worth Regional Monitoring Program

Dear Mr. Gattis:

Thank you for providing the above-referenced summary of the regional monitoring program, including the proposed modifications. We appreciate the efforts of the north central Texas regional storm water participants and the work that you continue to undertake to coordinate storm water sampling, evaluation, and planning. After reviewing the proposed plan, stated goal, and schedule of implementation, we agree that the participants in the monitoring program should proceed.

Municipal separate storm sewer system (MS4) operators will be able to use their participation in the regional monitoring program in order to satisfy certain storm water management program requirements in Texas Pollutant Discharge Elimination System MS4 storm water permits. Participants that apply for renewal of existing MS4 permits may reference the regional program that was described in your letter, or include a copy of the plan with the application for renewal.

As the regional plan is formalized, and perhaps further revised or modified, please coordinate with Mr. Stephen Ligon, Team Leader of the Storm Water & General Permits Team. Mr. Ligon may be reached directly at (512) 239-4527.

Sincerely,

A handwritten signature in cursive script that reads "L'Oreal W. Stepney".

L'Oreal W. Stepney, Manager
Wastewater Permitting Section
Water Quality Division

LS/sl

Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 10, 2006

Dear Regional Storm Water Monitoring Program participant:

This letter serves to inform Phase I entities participating in the Dallas – Fort Worth Regional Wet Weather Characterization Program (RWWCP) that the program's five year implementation plan began on December 22, 2005 with the issuance of the City of Garland Phase I Texas Pollutant Discharge Elimination System (TPDES) Municipal Separate Storm Sewer System (MS4) permit. As described in the RWWCP plan, approved by the Texas Commission on Environmental Quality (TCEQ) on April 15, 2003, the first year of this five year program will be utilized to finalize monitoring sites, obtain necessary equipment, and complete other year one elements. Entities that have chosen to participate in this program are encouraged to contact the North Central Council of Governments (NCTCOG) to participate in the first year's preparation process.

The RWWCP was developed and is currently managed through a coalition of entities with the assistance of NCTCOG. As part of the agreements made with the Environmental Protection Agency (EPA) and the TCEQ, participating entities will not be required to submit monthly Discharge Monitoring Reports (DMRs) for entry into the EPA's Permit Compliance System database. Instead, this program allows participating permittees to include DMRs in their annual report together with a supplemental copy of the region-wide report (as detailed in Part IV.E.1. of the permit). Based on conversations with NCTCOG, it is our understanding that NCTCOG will be preparing DMRs for each entity to include with the annual report and will be using a digital DMR form originally approved by EPA.

Permittees participating in the RWWCP must report their monitoring activities in the annual report according to the City of Garland Phase I MS4 permit timeframe. For example, even if your permit is issued in February, your entity will finalize monitoring sites by December 21, 2006, and perform monitoring from December 22, 2006 to December 21, 2009; the region-wide report must also utilize this timeframe. Permittees will be given credit for any monitoring performed prior to issuance of their respective permit. We recognize that as a result of this schedule, those entities receiving authorization for their Phase I TPDES MS4 permit after December 22, 2005 will complete the requirements of the RWWCP and Wet Weather Characterization monitoring prior to the expiration of their respective permit.

The TCEQ appreciates the efforts of the participating entities and is pleased to further the regional program that was initiated during the first permit term. If you have any further questions or comments about this option of the permit, please contact Mr. Keith Kennedy with NCTCOG at (817) 695-9221 or the TCEQ staff member responsible for development and maintenance of your respective permit at (512) 239-4671.

Sincerely,

A handwritten signature in black ink, appearing to read "David Waterstreet", written over a horizontal line.

David Waterstreet, Team Leader
Storm Water & Pretreatment
Wastewater Permitting Section

cc: TCEQ, Region 4

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 13, 2008

Mr. Jim Crisp, Chairman
Regional Storm Water Management Coordinating Council
c/o North Central Texas Council of Governments
P.O. Box 5888
Arlington, Texas 76005-5888

Re: Data Reporting Requirements for Phase I MS4 Permits in the Dallas-Forth Worth Area

Dear Mr. Crisp:

This letter serves to inform entities participating in the Dallas-Fort Worth Regional Wet Weather Characterization Program (RWWCP) that Discharge Monitoring Reports (DMRs) are not required and therefore will not need to be submitted with their annual reports for the current permit term.

Entities that have selected the option of participating in the RWWCP (Option 3) described in Part IV.A.3 of the Texas Pollutant Discharge Elimination System (TPDES) Phase I MS4 permits recently issued to North Central Texas governmental entities are following different monitoring requirements than found in Option 1 (Part IV.A.1). In accordance with Part IV.E. of these permits, entities utilizing Option 3 may compile and summarize data from the regional sampling effort in a regional annual report, without submitting individual DMRs.

Should a permitted entity elect to utilize Option 1 rather than the RWWCP (Option 3), then DMRs would be required in accordance with the first part of paragraph IV.E. of these permits.

We appreciate the efforts of NCTCOG and the regional participants in working together to coordinate storm water sampling and storm water management in general.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cynthia Hooper".

Cynthia Hooper
Wastewater Permitting Section
Water Quality Division

CH/ms



North Central Texas Council of Governments

December 30, 2008

Kim Wilson, Storm Water Team Leader
Storm Water & Pretreatment Team
Texas Commission on Environmental Quality MC-148
P.O. Box 13087
Austin, TX 78711-3087

Subject: Request for Change to the Dallas – Fort Worth Regional Wet Weather Characterization Program

Dear Kim:

This letter serves as a request for approval to make an amendment to the Dallas – Fort Worth Regional Wet Weather Characterization Program (RWWCP). The RWWCP was approved by the TCEQ on April 15, 2003, and was added as an option in Part IV.A.3 of the Texas Pollutant Discharge Elimination System (TPDES) Phase I MS4 permits issued to North Central Texas governmental entities. These entities included the Cities of Dallas, Fort Worth, Arlington, Garland, Irving, Mesquite, Plano, as well as the North Texas Tollway Authority and TxDOT-Dallas District. As described in Part IV.A.3 in the TPDES Phase I MS4 permit, each program participant must coordinate with all other program participants on any proposed amendments to the RWWCP, which may be submitted in writing to the TCEQ's Storm Water and Pretreatment Team for consideration at any time. The framework of this program has been set up to allow greater flexibility in that any such amendments would not require formal permit modification procedures since the RWWCP language exists outside of each permit.

The City of Fort Worth has requested to change their watershed to be sampled for chemical analysis in 2009 from Mary's Creek to Marine Creek. Attached is a detailed overview of the rationale for this proposed amendment.

On behalf of the RWWCP, the North Central Texas Council of Governments (NCTCOG) would like to request approval from the TCEQ to proceed with the modification of the RWWCP to include the City of Fort Worth's new 2009 chemical sampling watershed selection.

If you have any further questions or comments, please contact me at (817) 695-9221 or kkennedy@nctcog.org.

Sincerely,

Keith C. Kennedy
Manager of Environment and Development

City of Fort Worth Watershed Change Proposal

The City of Fort Worth opted to satisfy the Wet Weather Characterization requirement of its MS4 storm water permit by participating in the Regional Wet Weather Characterization Program as described in Part IV.A.3 of the permit. The City also opted to include bioassessments (Part IV.A.2) in its program. The regional program requires sampling for chemical analysis from three different watersheds during 2007, 2008, and 2009 (one watershed sampled each year): Bioassessments are conducted from all three watersheds each year. The watersheds initially selected were Big Fossil Creek (2007), Sycamore Creek (2008), and Mary's Creek (2009).

Reconnaissance at Mary's Creek in preparation for storm event sampling in 2009 has revealed that topography along Mary's Creek makes selecting sites at appropriate locations with adequate access for automatic sampling problematic. Therefore the City of Fort Worth would like to change the watershed to be sampled for chemical analysis in 2009 from Mary's Creek to Marine Creek.

Marine Creek was included in bioassessments conducted in 2007 and 2008 along with Mary's Creek, Sycamore Creek, and Big Fossil Creek. Mary's Creek and Marine Creek also were included in bioassessments conducted in 1999 and 2001. These data, summarized in Table 1, indicate that in general Marine Creek is somewhat more impacted by urbanization compared to Mary's Creek, which is not unexpected considering the locations of the watersheds. Mary's Creek flows through far west Fort Worth and the watershed is comprised of 80% open/agricultural land use while Marine Creek flows through north-central Fort Worth with a watershed containing 52% open land use. The challenges, regarding potential pollutant sources, are greater on Marine Creek and likewise the potential for realizing water quality improvements is greater on Marine Creek compared to Mary's Creek.

Table 1: Macroinvertebrate index scores for samples collected in from Mary's Creek (MRY) and Marine Creek (MAR) in 1999, 2001, and 2007.

Site	2007		2001		1999	Assessment	Score
	Spring Score	Fall Score	Spring Score	Fall Score	Spring Score		
MRY1	-	-	-	-	-	Non-impaired	>75%
MRY2	96%	80%	96%	100%	78%	Slightly impaired	50-75%
MRY3	85%	106%	94%	100%	91%	Moderately impaired	25-49%
MAR1	57%	73%	67%	67%	52%	Severely impaired	<25
MAR2	70%	67%	90%	71%	43%		
MAR3	70%	86%	42%	44%	49%		

Scores are a percentage as compared to the reference site (MRY1).

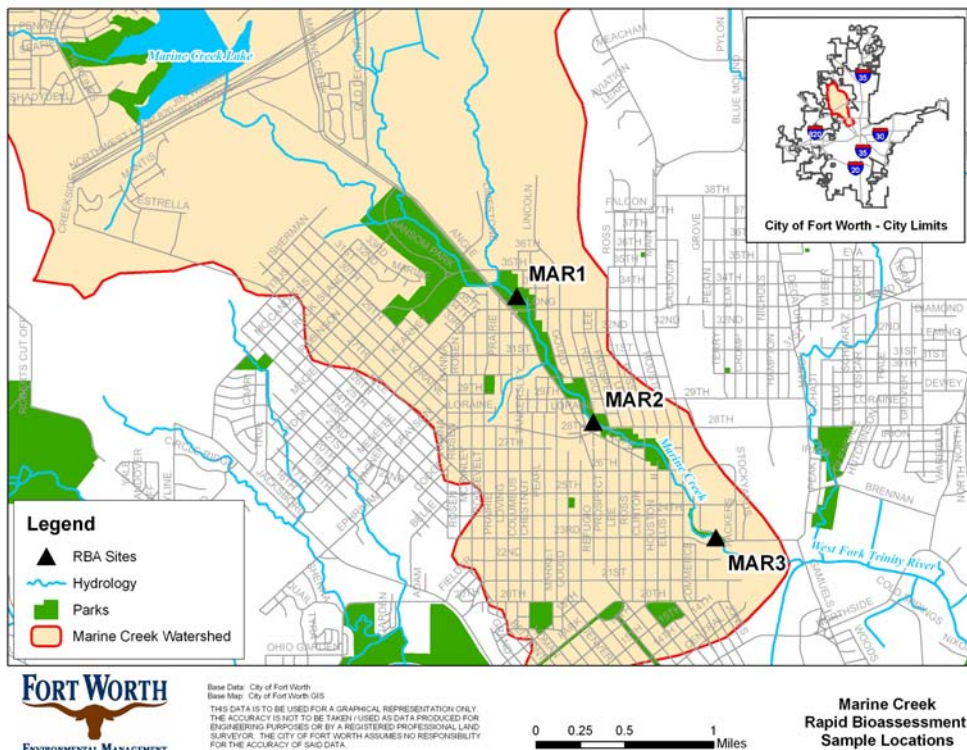
Sample Site Descriptions for Marine Creek

Marine Creek originates as overflow from the containment dam at Marine Creek Lake, which is owned and operated by the Tarrant Regional Water District and located northwest of the Fort Worth central city. Marine Creek terminates at its convergence with the Trinity River downstream of the confluence of the Clear Fork Trinity River and West Fork Trinity River, approximately 1.5 miles north of downtown Fort Worth. Marine Creek is wholly encompassed within the city limits of Fort Worth. Land use within the watershed is 52% undeveloped, including city parks, with the remainder comprised of residential (19%), commercial/industrial (6%), government/education (4%), water (2%), airports (5%), and roadways/infrastructure (12%).

MAR1, the upstream sample point, is located in Marine Creek Linear Park east of Angle Ave. and north of Long Ave. ($32^{\circ}48'19.65''N$, $97^{\circ}21'51.89''W$). Between the headwaters and MAR1, Marine Creek meanders through primarily undeveloped land and an unimproved City Park (Buck Sansom Park).

The middle reach sample point, MAR2 ($32^{\circ}47'43.27''N$, $97^{\circ}21'25.31''W$), is located in Lincoln Park (unimproved City Park) north of NW 28th Street. Above this point the surrounding watershed includes single-family residential uses in addition to receiving runoff from Meacham International Airport.

Potential commercial impacts increase at the downstream site (MAR3: $32^{\circ}47'10.20''N$, $97^{\circ}20'45.59''W$), including influences from the Fort Worth Stockyards National Historic District. MAR3 is accessed through Saunders Park on the south end of the Stockyards area and north of NE 23rd Street.



Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 13, 2009

Mr. Keith C. Kennedy, Manager
Environment and Development
North Central Texas Council of Governments
P.O. Box 5888
Arlington, Texas 76005-5888

Re: Request to Change Dallas, Fort Worth Regional Wet Weather Characterization Program

Dear Mr. Kennedy:

Thank you for your letter of December 30, 2008, in which the North Central Texas Council of Governments (NCTCOG) requests approval for a revision to the Dallas, Fort Worth Regional Wet Weather Characterization Program (RWWCP).

As described in your letter, the NCTCOG is requesting approval to change the watershed sampled by the City of Fort Worth (City) in 2009. Currently the RWWCP requires the City to collect samples from Mary's Creek in 2009, but the City indicates that the topography of Mary's Creek does not support the use of automatic sampling equipment. The City indicates that bioassessments conducted on both creeks indicate that Marine Creek may be somewhat more impacted by urban development than Mary's Creek, and would be appropriate for this program.

Based on the above information, as well as the fact that no change to the number or frequency of samples is being proposed, we concur with your request and approve the revision to the RWWCP. This revision may be implemented immediately upon receipt of this letter. If you have any additional questions, please contact me at your convenience, either by phone at (512) 239-4644, or at the address on this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Kimberly Wilson".

Kimberly Wilson, Leader
Storm Water & Pretreatment Team
Wastewater Permitting Section (MC-148)

KW/gv

