

## Legislation Text

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**File #:** 21-751, **Version:** 1

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**PRESENTER:**

Mark Enders, Watershed Program Manager

**SUBJECT:**

Approval of and authorization for the City Manager to execute a contract with the Texas Commission on Environmental Quality to accept grant funding to continue implementation of the Dry Comal Creek and Comal River Watershed Protection Plan

**DEPARTMENT:** Public Works

**COUNCIL DISTRICTS IMPACTED:** All

**BACKGROUND INFORMATION:**

The City and its project partners, with input from local stakeholders, have developed a Watershed Protection Plan (WPP) to address bacteria loading to the Dry Comal Creek and Comal River. The WPP has been formally accepted by the US Environmental Protection Agency and the Texas Commission on Environmental Quality (TCEQ).

The City has been taking the lead on the implementation of bacteria reduction measures outlined in the WPP which has been supported with previous grant funding from TCEQ.

The proposed contract with TCEQ is for a total of \$1,377,295 of which the TCEQ reimbursable grant portion is \$826,377 (60% of the total contract cost). The City is responsible for a 40% match or cost share in the amount of \$550,918. The match portion will be provided largely by the cost of projects implemented as part of the Edwards Aquifer Habitat Conservation Plan (EAHCP) that are paid by the City and reimbursed by the Edwards Aquifer Authority (EAA). A portion of City staff salary and benefits will also be applied as match. It is not anticipated that any funding will be required from the City's General Fund for matching costs. The term of the grant contract is September 1, 2021 through February 28, 2026.

The work to be conducted as part of this grant contract will include but is not limited to: 1) design and construction of structural stormwater treatment infrastructure, 2) management of overabundant urban wildlife, 3) pet waste management, and 4) education & outreach. A portion of the grant funding will also be utilized for consultant support for the implementation of the contractual tasks and reporting.

**ISSUE:**

Both the Dry Comal Creek and the Comal River are listed on the Texas 303(d) list of impaired waterbodies. Both waterways are listed as impaired for bacteria (contact recreation) meaning that *E.coli* bacteria concentrations have exceeded the State's long-term water quality standard for bacteria.

**FISCAL IMPACT:**

Per the contract, all City expenditures up to the authorized reimbursement amount (\$826,377) associated with the work listed in the contract will be reimbursed by TCEQ on a quarterly basis. An account has previously been established for tracking grant-funded expenditures and reimbursements.

**RECOMMENDATION:**

Staff recommends approval of a contract with the Texas Commission on Environmental Quality to accept grant funding to continue implementation of the Dry Comal Creek and Comal River Watershed Protection Plan.