

TEXAS WATCH

Newsletter of Volunteer Environmental Monitoring Programs in Texas
May/June, 1991

En Busca de Soluciones

(In Search of Solutions)

Flying into El Paso from the east, broad expanses of desert stretch from horizon to horizon, spotted with desolate mountain ranges and extinct volcanoes. A brown haze signals the arrival to the El Paso, Texas and Juarez, Chihuahua metropolitan areas. The Rio Grande (called the Rio Bravo in Mexico) separates these two great desert cities and their countries. The river represents the separation of different cultures, political and economic systems and languages. But it is a dividing line that is invisible to all but the most educated eye on that arriving airplane.

"Ecology does not know the boundaries between countries," said one of the teachers attending the Project del Rio Student Congress. In a period when the promises and problems of a free-trade agreement between Mexico and the U. S. are debated daily, Project del Rio is attempting to help students from both nations work together to solve the problems faced by both countries.

The Project del Rio Student Congress held April 27, 1991 at the Chamizal National Monument in El Paso culminated Mexican and American students' cooperative efforts in identifying water pollution and strategies to control the pollution. Twelve high

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"Am I Going to Die If I Eat the Fish?"

One of the most frequently-asked questions that natural resource agency personnel receive is, "Is it safe to eat the fish?" A reflection of the heightened public awareness of potential toxins in our state's water, more and more people wonder if the fish and shellfish might pose a health risk to people who consume them.

The Texas Department of Health is charged with the responsibility of protecting the public from consumption of contaminated fish. The department has recently published a brochure that describes Texas' waters where fishing advisories and closures have been announced.

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Fish (continued from p. 1)

When consumption of fish caught from a certain area may constitute an imminent threat to public health, the Texas Department of Health may prohibit the taking of fish or shellfish from that area. These areas are then said to be "closed" to the catching of fish or shellfish. Not only is it a potential health risk, but it is also a violation of Texas law to take fish and shellfish from a closed area. Although the Texas Department of Health decides which waters are closed, the Texas Parks and Wildlife Department enforces these rules in the field.

Parts of two Texas bodies of water are presently "closed" to the taking of fish and shellfish. Fishermen should not take or eat any fish or crabs from designated sections of Lavaca Bay near Point Comfort in Calhoun County. A specific part of the bay has been "closed" due to elevated concentrations of mercury, a heavy metal.

Chlordane, a pesticide whose use is now banned, contaminates some fish in a specific reach of the Trinity River downstream from the Dallas-Fort Worth metropolitan area. No fish from this specific part of the river should be taken or consumed.

Fish in some other bodies of water contain chemical residues at concentrations that might, if consumed, represent a threat to human health. For these waters, the Texas Department of Health has issued fish consumption advisories. It is not illegal to take or eat fish from a water body with a consumption advisory, however it is not recommended. Waters where fish consumption advisories have been issued include:

Arroyo Colorado upstream from the Port of Harlingen

- applies to all fish species
- public is advised to avoid regular consumption and limit consumption to one meal per month
- contaminants are chlordane, toxaphene, DDT

Town Lake in Austin

- applies to all fish species
- public is advised to avoid regular consumption and limit consumption to one meal per month
- contaminant is chlordane

Neches River south of U.S. 96 near Evadale down to IH 10

- applies to all fish species
- public should not eat more than one meal per month, women of child-bearing age and children should not eat the fish
- contaminant is dioxin

Brazos River south of FM 521 to the mouth of the river, Brazoria County

- applies to all fish species
- public should not eat more than one meal per month, women of child-bearing age and children should not eat the fish
- contaminant is dioxin

Houston Ship Channel and the upper Galveston Bay north of a line drawn from Red Bluff Point to Five Mile Cut Marker to Houston Point

- applies to catfish and blue crabs
- public should not eat more than one meal per month, women of child-bearing age and children should not eat the fish
- contaminant is dioxin

To reduce the amount of contamination in fish and shellfish, adhere to the following cleaning tips:

1. Remove the skin from the fillet.
2. Remove the belly meat from the fillet.
3. Remove the dark red meat from the lateral line of the fish.
4. Avoid cutting internal organs of the fish when cleaning.
5. When cleaning crabs be sure to remove all internal organs.
6. Rinse well the fillets or shellfish with tap water after cleaning.

The Texas Department of Health, the Texas Water Commission and

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the Texas Parks and Wildlife Department have been working in close cooperation with the U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, Texas Railroad Commission, and the General Land Office for the last year to more effectively coordinate the collection of fish tissue samples and contaminants data across Texas.

For brochures or more information about fishing advisories and closures, please contact the Shellfish Sanitation Division of the Texas Department of Health, 1100 W. 49th St., Austin, Texas, 78756; 512/458-7510. ☉

Attention Volunteers

Texas Watch wants to hear about your programs and highlight them in this newsletter.

Please send us a note on your activities or a copy of your newsletter—And if you have any black and white photos of your activities, send those too! (We cannot guarantee return of photos, although every effort will be made.)

If you know of other groups who should be receiving the Texas Watch newsletter, please let us know about them also.

Question of the Month:

Muddy Waters

At a recent meeting of the Friends of the Frio, Dave Buzan was asked if it was legal for private citizens to either take gravel or sand from the river to deepen their swimming hole or if it was legal for citizens to dump sand or gravel in the river. Dave spoke with Rollin MacRae of the Texas Parks and Wildlife Department who is responsible for issuing permits to remove sand and gravel from the state's waters.

According to Rollin, the original land grants issued under Spanish and Mexican law retained all perennial

waters as the property of the sovereign. All "torrential" waters, intermittent waters, were considered private property. In 1837, the Republic of Texas laid claim to all perennial waters and streams where the average width of the stream bed exceeded 30 feet even if the stream bed was dry. No precise criteria have ever been established for determining the average width of the stream bed.

The criterion presently in use is the "mean gradient boundary", established in the U.S. Supreme Court and accepted by Texas courts. If a stream bed averages 30 feet or wider between the mean gradient boundaries, it is consid-

ered a navigable stream and state property. Rollin stated that there is a 38-page document that describes how to measure the mean gradient boundary. He suggested that you try to imagine a sloping stream bank. As you move up the bank away from the water's edge, you pass through a zone of grass, weeds or seedling trees and shrubs that is occasionally swept clear of vegetation by flood waters. You will finally reach a point above the waters' edge where the vegetation is permanent, consisting of mature trees and shrubs. If you identify

the midway point between the lower edge of the permanent vegetation zone and the waters' edge at low or normal flow,

you have found the "mean gradient boundary."

Unfortunately, "mean gradient boundary" is difficult if not impossible to measure in many streams, particularly those west of IH 35. The question of whether or not the stream bed is private or the state's is further confounded by property surveys that in some cases extended property lines across stream beds defined in the original land grants and current state law as state property.

What does all of this have to do with whether or not someone can

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