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## LAND DEVELOPMENT WORKGROUP MEETING

Notes

May 11, 2009

- **Individuals Present**

Carolyn White (HCFCD), Craig Maske (Dodson/HCEC), Nick Russo (Harris County-PID), Lauri Thanheiser on phone (Environmental Infrastructure Planning), Christopher Gilbert (Bridgeland), Mark Wharton (Construction EcoServices), Steven Johnston (GBEP), Mitchell Page (Schwartz, Page & Harding, LLP), David Beyer (Storm Water Solutions), Cynthia Brum (GBEP), Adam Frey (Storm Water Solutions)

Craig Maske was identified as the BIG reporter

- **H-GAC Staff Present**

Erin Livingston, Rachel Powers

- **Discussion**

Rachel began by reviewing the sticky dot exercise and the discussion from the previous meeting of Land Development. The Land Development charge/description was reviewed including LID and street sweeping.

***Questions***

Where does green infrastructure fit in? In this workgroup unless it deals with the storm sewers. Green infrastructure was a big topic at last meeting. LID would fit in, and many other activities.

Where would a vegetative swale fit in? This workgroup would like stormwater to be considering those. It is part of the stormwater system.

Where do we talk about land development practices? Here

Possibly the Stormwater and Land Development workgroups need to be combined as there is not a well defined line separating the two.

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### ***Reimbursement***

TCEQ designates some facilities as amenities and not as detention facilities. The workgroup recommendation is that TCEQ be petitioned to change the designation where appropriate and that they be considered a stormwater quality component so that costs would be reimbursable.

It is easy to justify developer reimbursement if the developer has a letter stating they had to oversize a detention basin to hold sediment.

The green space issue should also be addressed through TCEQ rule revision.

Texas Water Development Board (TWDB) is working to incentivize rain water harvesting. Developers are not yet allowed, per county regulations, to have smaller water lines if rain water harvesting is implemented in the development, but less water would be used because 50% of water currently used goes toward irrigation.

TWDB has money to use for incentive programs. They have grant programs and revolving funds.

### ***General***

Based on the International BMP database, wet-bottom basins reduce bacteria, although the percent reduction varies.

Implementation activities (IAs) need to be implemented throughout the TMDL area and not just one county.

Since Harris County is ahead of other counties a recommendation could be that they assist others (through guidance, etc.), so that they don't have to reinvent the wheel.

The biggest issue is areas outside of Phase I and II communities.

Retrofitting would come later in the I-Plan process, if we find that other IAs are not producing results.

Rachel briefly discussed a map developed by H-GAC staff which shows urbanized areas (cities and areas outside cities).

- **Wrap-up**

Review tasks - Rachel and Erin to continue research

- **Adjourn**

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**CONSTRUCTION  
WORKGROUP MEETING  
Notes  
May 11, 2009**

- **Individuals Present**

Carolyn White (HCFCD), Nick Russo (Harris County-PID), Lauri Thanheiser on phone (Environmental Infrastructure Planning), Steven Johnston (GBEP), Mitchell Page (Schwartz, Page & Harding, LLP), David Beyer (Storm Water Solutions), Cynthia Brum (GBEP), Adam Frey (Storm Water Solutions)

Mitchell Page was identified as the BIG reporter

- **H-GAC Staff Present**

Erin Livingston, Rachel Powers

- **Discussion**

Generally speaking this group will focus on improving enforcement of the Construction General Permit (CGP). Sediment, nutrients, and bacteria are related.

***Inspections***

TCEQ only has two inspectors in the region for construction. Hold-ups to changing this include needed funding and the FTE cap. Can the work be contracted out? Maybe we should require local communities to enforce the CGP. If a community can't enforce, because they don't have the staff or it in areas outside Phase I and II communities, it can be referred to TCEQ.

How is Harris County funded? Some fees: reinspection fees, permit fees, platting fees. But money goes into a general fund. Mostly funded through taxes. Harris County does their own enforcement.

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The problem is when the construction contractor does the stormwater controls.

Construction inspections are often based on complaints. In more undeveloped areas there are not many people available to complain so not as many inspections occur.

Could volunteers be used to locate poor construction practices? Training would be involved, liability issues, etc.

Self-monitoring doesn't work.

Home builders are the worst offenders mostly.

### ***Compliance Improvements***

Harris County working to create a fine system to improve compliance. The stick is what works.

The City of Houston doubled their inspectors two years ago. We could look at their sample results to determine the estimated increase in compliance and estimated load reductions.

Fines against Walmart are what turned the big guys heads, said they couldn't afford those fines and so they hired third party inspectors to keep them in compliance.

There was a backlash against the Phase II program and complaints about it being an unfunded mandate. Maybe this is why they would not want to do it throughout the region. Phase II communities absorbed the costs of implementation, it wasn't that bad. Smaller communities do not have as large of a tax base, but they also have less costs for other parts of the program, (less education), just have to focus the money on construction.

Watershed permitting is the way to go. It has to start with the EPA and then get passed down to TCEQ.

All communities should have to follow the same regulations.

Properly implement the SWPPPs. Just need more enforcement.

- **Wrap-up**
- **Adjourn**

No meeting currently set.

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