

**BACTERIA IMPLEMENTATION GROUP**  
**Construction & Land Development Workgroup**  
**Tuesday, December 9, 2008**  
**9:00 AM to 10:30 AM**

**Individuals Present:**

Robert Wempe (AECOM); Nick Russo (HCPID-WPG); John Moss (EcoServices); Brittany Brownlow (Storm Water Solutions); Carolyn White (HCFCD); Steven Johnston (TCEQ-GBEP); Christopher Gilbert (GGP-Bridgeland); Craig Maske (Dodson/HCEC); Bubba Beyer (Storm Water Solutions); David Beyer (Storm Water Solutions); Justin Cox (Storm Water Solutions); Nathan Guessinger (Storm Water Solutions); Mitchell Page (BIG/Schwartz, Page & Harding, LLC)

**H-GAC Staff Present:**

Rachel Powers; Erin Anderson

**Brainstorm Session:**

Rachel explained that the table everyone had been given would be used in the final I-Plan report to present the workgroups recommendations. The table format was taken from the San Antonio River Area Bacteria TMDL at the advice of TCEQ. One good thing about the table is that it includes the nine elements needed for 319 funding eligibility.

***Construction***

**Sources to move to Land Development table and group as prior land use:**

- Background load from animals
- Prior residential septic/drain fields

**Possible recommendations/Implementation Activities:**

- Make sure port-o-potties are managed properly. More inspections.
- Could recommend that sites smaller than one acre should be good neighbors and follow regulations for bigger sites, they can get violations, but in reality the focus needs to be on the bigger sites.
- Enforce existing regulations from TXR 15 (Construction General Permit or CGP) for construction sites region wide. These regulations will reduce loadings if followed.
  - Counties do have authority in the local government code to enforce, they just haven't been doing it.
  - TCEQ needs to do more inspections.
  - Apply the CGP to sites smaller than one acre
  - Can strengthen and make modifications to the CGP.

- Phase II plans can be modified annually. Could recommend that certain bacteria levels should force parts of the plan to accelerate.
- Nutrient and other soil additives
  - Ban certain products.
  - Application rates and timing (don't apply before a rain)
- Incentivize the use of vegetative buffers during construction.
  - Build the detention pond and vegetate it first. Recommend vegetating first as an economic benefit so don't have to regrade the slope. If it rains it could erode the slopes. But need to incentivize it because they don't want to vegetate an area that they may have to go and dig up later in the process. Also, Water District developer funding and reimbursement is over scrutinized by the TCEQ. Won't pay for the fertilizing of one area twice.
  - Recommend to keep a riparian buffer where practical. Revegetate the buffer as soon as the grading is completed.
- Even if don't know for certain that mulch berms contribute high levels of bacteria the group could still recommend that other alternatives be used. There are some that are cheaper anyways. Use of mulch in construction activities is minimal anyways. Especially commercial construction.

Outside efforts in the works: EPA is working to propose effluent limitation guidelines for stormwater from a construction site. Eventually could be in the CGP.

### ***Land Development***

- Remove pets from list
- IAs for background load for animals include soil control such as silt fences and vegetative buffers and the use of and adherence to SWPPPs
- IA for prior residential septic/drain fields is to properly remove and remediate
- IAs for prior land use in general
  - Remediate
  - Do a study
  - Add bacteria loading component to Phase I
  - Avoid existing, heavily used wildlife areas
  - Require bacteria sampling in a Phase II
- Long term management plan in Bridgeland of open spaces
- Detention pond and berm siting and size needs to be a topic.
- If want to incentivize developers to include more open areas need to change TCEQs viewing of them. They only see a very small portion around the detention ponds as a BMP. They consider the open area around a pond as a recreational facility. How the area is viewed by TCEQ affects funding.

### ***Two recommendations to send to the research group***

- Do sites with different prior land uses produce different bacteria loading in runoff when disturbed?
- Ban on certain fertilizer products

**Next meeting:**

Thursday, January 15, 2009, 8:00 AM, Association of General Contractors, 3825 Dacoma St., Houston, TX 77092